

# COUNTY of HIDALGO



**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](http://www.co.hidalgo.tx.us/auditor)

January 05, 2024

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, Letty Chavez, Hidalgo County Auditor, certify to the Hidalgo County Commissioners Court the receipt of an award from the 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  
\$15,000.00

PURPOSE  
ICE FY24 Overtime Reimbursement  
Hidalgo Co. Constable Precinct 3

CERTIFIED BY:

  
\_\_\_\_\_  
Letty Chavez  
County Auditor

1/7/2024  
\_\_\_\_\_  
Date

### HIDALGO COUNTY DISTRICT JUDGES

LUIS M. SINGLETERRY JUDGE, 92<sup>ND</sup> D.C.    FERNANDO MANCIAS JUDGE, 93<sup>RD</sup> D.C.    J. R. "BOBBY" FLORES JUDGE, 139<sup>TH</sup> D.C.    ROSE GUERRA REYNA JUDGE, 206<sup>TH</sup> D.C.    MARLA CUELLAR JUDGE, 275<sup>TH</sup> D.C.    MARIO E. RAMIREZ, JR. JUDGE, 332<sup>ND</sup> D.C.    NOE GONZALEZ JUDGE, 370<sup>TH</sup> D.C. OVERSEER    LETICIA LOPEZ JUDGE, 389<sup>TH</sup> D.C.    L. KENO VASQUEZ JUDGE, 398<sup>TH</sup> D.C.    ISRAEL RAMON, JR. JUDGE, 430<sup>TH</sup> D.C.    RENEE R. BETANCOURT JUDGE, 449<sup>TH</sup> D.C.    JOSE "JOE" RAMIREZ JUDGE, 464<sup>TH</sup> D.C.    YSMAEL FONSECA JUDGE, 476<sup>TH</sup> D.C.

AI-93695

Constable Pct. #3 19. A.

**CC REGULAR AGENDA SPECIAL MTG**

**Meeting Date:** 01/09/2024

**Submitted For:** Larry Gallardo, CONSTABLE  
PCT. #3

**Submitted By:** Leidy Roque

**Department:** CONSTABLE PCT. #3

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**CAPTION**

1. Approval to accept overtime funding agreement from U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE) FY2024 (10/01/2023 - 09/30/2024) in the amount of \$15,000.00.
2. Authorization to pay overtime reimbursable under the grant terms and conditions.
3. Approval of certification of revenues, as certified by the Co. Auditor, for FY 2024 ICE overtime agreement in the amount of \$15,000.00 and appropriation of the same.

**BACKGROUND**

MOU between ICE and Hidalgo County (Constable Precinct 3) approved by CC on 07/12/2023 (AI# 86423), overtime is being provided for expenses of officer providing resources in joint operational/task forces. Fringe benefits associated with overtime pay of officers is not reimbursed through grant and will be charged to the Constable Precinct 3 General Fund account. Reporting period ends on 9/30/2024 (FY 2024).

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**Fiscal Impact**

**CALENDAR YEAR:** 2023

**ACCT. #:** 3-1284-421-00-293-055-4-XXX

**FUNDS AVAILABLE Y/N?:** Y

**MATCHING FUNDS Y/N?:** N

**BUDGETARY IMPACT:**

*CPCT3 JLEO-ICE-OVERTIME PAY*; Appropriation of overtime funds from ICE in relation to joint law enforcement operations agreement for FY 2024 (10/01/2023 - 9/30/2024) in the amount of \$15,000.00 pending COR by Co. Auditor. No cash match required; the agreement excludes fringe benefits associated with overtime expenses; fringe benefits are to be re-classified and paid via Constable Pct. 3 G/F budget, pending year-end grant carryovers.

Revenue acct #3-1284-331-11-293-055-4-000 *CONST PCT3 JLEO ICE-REVENUES*

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**Attachments**

HSI-ICE MOU

Award Letter

COR Request

OT Policy

Appropriation



*Homeland Security Investigations  
Office of the Special Agent in Charge*

**U.S. Department of Homeland Security**  
1015 Jackson Keller Road, Suite 200  
San Antonio, Texas 78213

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September 25, 2023

Hidalgo County Constable Precinct 3  
Attn: Constable Larry Gallardo  
730 Breyfogle Suite B  
Mission, TX. 78572

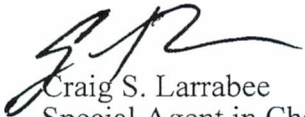
Dear Constable Gallardo,

Please be advised that your agency has been approved for the Fiscal Year 2024 State and Local Overtime (SLOT) Program. Overtime salaries, travel, fuel, training, equipment, and other similar costs incurred by your agency in a joint law enforcement operation with U. S. Department of Homeland Security, Homeland Security Investigations (HSI) may be authorized for reimbursement, pending pre-approval from the HSI Special Agent in Charge San Antonio, and the availability of funds.

Thank you for your continued participation in the SLOT Program and your continued partnership with HSI. We continually monitor our SLOT budget to ensure our supporting partners are adequately funded for our joint investigations and operations.

We look forward to your cooperation and partnership in the future. If you or your staff has any questions concerning the SLOT Program please contact Mission Support Assistant, Norma Garza at 956-540-6660 office or 956-540-1209 cellphone or [norma.a.garza@ice.dhs.gov](mailto:norma.a.garza@ice.dhs.gov).

Respectfully,

  
Craig S. Larrabee  
Special Agent in Charge

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**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN  
IMMIGRATION AND CUSTOMS ENFORCEMENT - HOMELAND  
SECURITY INVESTIGATIONS, 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 Constable Precinct 3, NCIC CODE #TX1082000 and Immigration Customs Enforcement (ICE), Homeland Security Investigations (HSI), Special Agent in Charge (SAC), San Antonio, Texas for the purpose of the reimbursement of costs incurred by the Hidalgo County Constable Precinct 3 in providing resources to joint operations/task forces.

Payments may be made to the extent they are included in the ICE/HSI Fiscal Year Plan, and the money is available within the Treasury Forfeiture Fund to satisfy the timely 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 9705, 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 9705.

**IV. APPLICABILITY OF THIS AGREEMENT**

This agreement is valid for all joint investigations led by Immigration Customs Enforcement (ICE), Homeland Security Investigations (HSI) SAC, San Antonio, Texas, with the participation of the Hidalgo County Constable Precinct 3, 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 Constable Precinct 3, shall assign dedicated officers to any investigation or joint operation.

Included as part of this Agreement, the Hidalgo County Constable Precinct 3, shall provide ICE/HSI 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 Constable Precinct 3 may request the reimbursement of overtime salary expenses directly related to work on a joint operation with ICE/HSI SAC San Antonio, Texas, performed by its officer(s) assigned to this joint operation. In addition, the Hidalgo County Constable Precinct 3, 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/HSI SAC San Antonio, Texas.

The Hidalgo County Constable Precinct 3 **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 Constable Precinct 3 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 Constable Precinct 3, must submit to ICE/HSI 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 pay stubs and receipts.
4. The Hidalgo County Constable Precinct 3 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 Constable Precinct 3 will submit all timely requests for the reimbursement of joint operations' expenses to ICE/HSI Agent in Charge, James Justet at the following address: 5901 International Parkway, McAllen, TX 78503, Attn. MSA Norma Garza Phone, 956-984-6974.

## **VI. PROGRAM AUDIT**

This Agreement and its provisions are subject to audit by ICE/HSI, the Department of the Treasury Office of Inspector General, the General Accounting Office, and other government designated auditors. The Hidalgo County Constable Precinct 3 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.

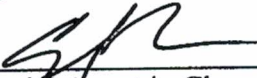
## **VII. REVISIONS**

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

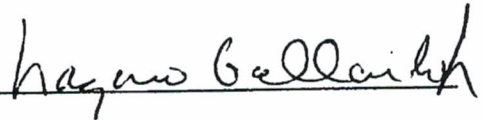
**VIII. NO PRIVATE RIGHT CREATED**

This is an internal government agreement between ICE/HSI, SAC San Antonio, Texas and the Hidalgo County Constable Precinct 3, and is not intended to confer any right or benefit to any private person or party.

**Signatures:**

  
\_\_\_\_\_  
Special Agent in Charge,  
Craig S. Larrabee  
Homeland Security Investigations  
San Antonio, Texas

Date: 8/23/22

  
\_\_\_\_\_  
Constable, Larry Gallardo  
Hidalgo County Constable Precinct 3

Constable, Larry Gallardo  
Hidalgo County Constable Precinct 3

Date: 8/17/22

DATE: January 9, 2024

DEPARTMENT HEAD: Dagoberto Soto, Budget Officer

DEPARTMENT NAME: Department of Budget & Mgmt for Const. Pct. 3  
JLEO ICE

ACCOUNT NUMBER: 3-1284-421-00-293-055-4-XXX

Contact Person: Ivan Cantu Ph#:                      ext. 5425

**2023**  
Appropriation

AI-93695/CC 1.9.2024



**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
3-1284-421-00-293-055-4-	131	CONST PCT3 JLEO ICE-	OVERTIME PAY	15,000.00
3-1284-331-11-293-055-4-	000	CONST PCT 3 JLEO ICE-	REVENUES	15,000.00
<b>TOTAL BUDGET INCREASE (DECREASE)</b>				<b>15,000.00</b>

**REASON:** Appropriation of funds to fund overtime costs in relation to the MOU between Const Pct. 3 and ICE/HIS to conduct joint special operations for FY 2024 (10.1.2023 to 9.30.2024). Agreement does not cover fringes. Fringes are to be paid from the Const Pct. 3 G/F budget.

DEPARTMENT HEAD SIGNATURE

APPROVED COMMISSIONERS' COURT

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE

ATTEST COUNTY CLERK



Leidy Roque <leidy.roque@co.hidalgo.tx.us>

## Certification of Revenues Request

1 message

**Leidy Roque** <leidy.roque@co.hidalgo.tx.us>  
To: Celeste Garza <celeste.garza@auditor.co.hidalgo.tx.us>

Wed, Dec 20, 2023 at 9:15 AM

Good Afternoon Celeste,

I am respectfully requesting a Certification of Revenues for AI:93695 CC 1/9/24 in the amount of \$15,000.00 between HSI-ICE and Constable Precinct 3, authorization to pay overtime for one assigned Deputy Constable.

Thank you in advance,

--  
**Leidy Nallely Roque**  
Executive Assistant  
Hidalgo County Constable Pct. 3  
Phone: 956-205-7031 EXT.3305  
FAX: 956-519-4245  
leidy.roque@co.hidalgo.tx.us

*Read that you are.*



Celeste Garza <celeste.garza@auditor.co.hidalgo.tx.us>

**Fwd: FY24 HSI/ICE SLOT**

2 messages

**Leidy Roque** <leidy.roque@co.hidalgo.tx.us>  
To: Celeste Garza <celeste.garza@auditor.co.hidalgo.tx.us>

Fri, Jan 5, 2024 at 11:13 AM

Here it is. Does this work?

Thank you,

**Leidy Nallely Roque**  
**Executive Assistant**  
**Hidalgo County Constable Pct. 3**  
**Phone: 956-205-7031 EXT.3305**  
**FAX: 956-519-4245**  
[leidy.roque@co.hidalgo.tx.us](mailto:leidy.roque@co.hidalgo.tx.us)



----- Forwarded message -----  
From: **Garza, Norma A** <[Norma.A.Garza@ice.dhs.gov](mailto:Norma.A.Garza@ice.dhs.gov)>  
Date: Fri, Jan 5, 2024 at 8:41 AM  
Subject: RE: FY24 HSI/ICE SLOT  
To: Leidy Roque <[leidy.roque@co.hidalgo.tx.us](mailto:leidy.roque@co.hidalgo.tx.us)>

Hello Leidy,  
The period covered is FY24 (October 2023-September 2024).

**From:** Leidy Roque <[leidy.roque@co.hidalgo.tx.us](mailto:leidy.roque@co.hidalgo.tx.us)>  
**Sent:** Thursday, January 4, 2024 2:57 PM  
**To:** Garza, Norma A <[Norma.A.Garza@ice.dhs.gov](mailto:Norma.A.Garza@ice.dhs.gov)>  
**Subject:** FY24 HSI/ICE SLOT

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

Good Afternoon,

May you please verify the grant period for this fiscal year for this agreement.

Thank you in advance,

--

**Leidy Nallely Roque**

**Executive Assistant**

**Hidalgo County Constable Pct. 3**

**Phone: 956-205-7031 EXT.3305**

**FAX: 956-519-4245**

[leidy.roque@co.hidalgo.tx.us](mailto:leidy.roque@co.hidalgo.tx.us)



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**Celeste Garza** <[celeste.garza@auditor.co.hidalgo.tx.us](mailto:celeste.garza@auditor.co.hidalgo.tx.us)>  
To: Leidy Roque <[leidy.roque@co.hidalgo.tx.us](mailto:leidy.roque@co.hidalgo.tx.us)>

Fri, Jan 5, 2024 at 11:15 AM

Yes Ma'am thank you!

[Quoted text hidden]

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**Celeste Garza**  
Accountant II

Hidalgo County Auditor's Office

2808 South Business Highway 281, Edinburg, Texas 78539

Office: (956) 318-2511 Ext.4605

Fax: (956) 318-2577

Email: [celeste.garza@auditor.co.hidalgo.tx.us](mailto:celeste.garza@auditor.co.hidalgo.tx.us)

Website - [www.co.hidalgo.tx.us/auditor](http://www.co.hidalgo.tx.us/auditor)



CONFIDENTIALITY NOTICE

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Isabel Rodriguez <isabel.rodriguez@auditor.co.hidalgo.tx.us>

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## Re: FY24 Welcome Letter

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**Benson, Kevin** <Kevin.Benson@hsi.dhs.gov>

Tue, Dec 19, 2023 at 12:06 PM

To: "Garza, Norma A" <Norma.A.Garza@ice.dhs.gov>, "jose.rodriguez@hidalgoso.org" <jose.rodriguez@hidalgoso.org>

Cc: "myra.montoya@hidalgoso.org" <myra.montoya@hidalgoso.org>, "isabel.rodriguez@auditor.co.hidalgo.tx.us" <isabel.rodriguez@auditor.co.hidalgo.tx.us>

Greetings Mr. Rodriguez,

As per our conversation, I would like to share the HSI McAllen response to the four pending questions regarding the administration of HSI SLOT funds with our existing MOU with the Hidalgo County Sheriff's Department.

**What is the term of your agency's fiscal year?** The federal government fiscal year for 2024 is from October 1, 2023 through September 30, 2024.

**- How many officers were approved to work on this Task Force?** HSI approved four Sheriff's Deputies to be eligible to receive HSI State and Local Overtime (SLOT) reimbursement for working on HSI investigations and enforcement actions.

**We submitted for a total of 4 officers. Were they all approved?** Yes, as per the FY 2024 SLOT agreement, all four deputies were approved for HSI SLOT reimbursement consideration.

**- What is the total allocated funds for our TFOs? According to the MOU we are allowed \$15,000 per officer if all 4 were approved we are allowed \$60,000 for FY24.** Each Task force officer receiving HSI SLOT can receive up to \$15,000 in reimbursement consideration each fiscal year. HSI does not allocate a set \$15,000 per Task Force Officer but maintains an overtime reimbursement allocation budget based on the amount of SLOT funds we receive for our Special Agent in Charge (SAC) district from HSI headquarters overall national SLOT budget. It is possible that HSI SLOT funds are put on hold in July or August of the fiscal year, depending on the overall availability of the SAC district SLOT funds.

Respectfully, I hope these details will clarify the necessary information to secure the SLOT agreement with the Sheriff's department. If there is any additional information required, I can be reached at (956) 592-4905.

Thanks you,  
Kevin

ASAC Kevin W Benson

Homeland Security Investigations

5901 S International Parkway

McAllen, Texas 78503

(956) 928-8728 office

**(956) 592-4905** mobile

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**From:** Garza, Norma A <[Norma.A.Garza@ice.dhs.gov](mailto:Norma.A.Garza@ice.dhs.gov)>  
**Sent:** Wednesday, December 13, 2023 2:50 PM  
**To:** Benson, Kevin <[Kevin.Benson@ice.dhs.gov](mailto:Kevin.Benson@ice.dhs.gov)>  
**Subject:** FW: FY24 Welcome Letter

Mr. Benson,

See below for the information HCSO is requesting, thank you.

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**From:** Jose Rodriguez <[jose.rodriguez@hidalgoso.org](mailto:jose.rodriguez@hidalgoso.org)>  
**Sent:** Wednesday, December 13, 2023 12:02 PM  
**To:** Garza, Norma A <[Norma.A.Garza@ice.dhs.gov](mailto:Norma.A.Garza@ice.dhs.gov)>  
**Cc:** Myra Montoya <[myra.montoya@hidalgoso.org](mailto:myra.montoya@hidalgoso.org)>; Isabel Rodriguez <[isabel.rodriguez@auditor.co.hidalgo.tx.us](mailto:isabel.rodriguez@auditor.co.hidalgo.tx.us)>  
**Subject:** Re: FY24 Welcome Letter

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

Good morning Norma,

[Quoted text hidden]

[Quoted text hidden]