

El Paso County, Texas (REV.06/08)

**OFFICIAL / DEPARTMENT HEAD
RETIREE REHIRE AFFIDAVIT**

I solemnly affirm under the penalties of perjury that:

1) I did not, nor am I aware of any other El Paso County official or employee who did, discuss any agreement or arrangement, or made any commitments or promises to rehire KITTY SCHILD (the "Retiree") after his/her retirement from El Paso County;

2) the appointment of retired judges in the State of Texas is governed by Chapter 74 of the Texas Government Code. Pursuant to that Chapter, the presiding judge of the administrative region (who is not currently an officer or employee of El Paso County) has the statutory authority to maintain a list of retired and former judges eligible for appointment; and to make appointments from that list. Thus, neither the County of El Paso nor any officer or employee thereof had any authority or control over the appointment of KITTY SCHILD (the "Retiree") after his/her retirement from El Paso County; and

3) at least one full calendar month has expired from the time of the Retiree's bona fide retirement until the date of rehire.

Mike Izquierdo
Signature

MIKE IZQUIERDO
Printed Name

COUNCIL OF JUDGES ADM.
Department

State of Texas
County of El Paso

This instrument was sworn to and subscribed before me on the _____ day of JULY, 2013.

Martha A. Banales
Signature of Notary Public

MARTHA A. BANALES
Typed or Printed Name



2/21/2016
Notary Commission Expires

El Paso County, Texas (REV.06/08)

RETIREE REHIRE AFFIDAVIT

I solemnly affirm that no agreement or arrangement to hire me as an employee of El Paso County was discussed with anyone associated with El Paso County prior to my rehire.

I further solemnly affirm that a full calendar month has expired from the time of my bona fide retirement until the date of my rehire.

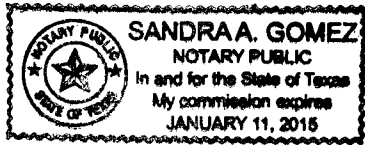
Kitty Schild
Signature

KITTY SCHILD
Printed Name

COUNCIL OF JUDGES ADM.
Department

State of Texas
County of El Paso

This instrument was sworn to and subscribed before me on the 26th
day of July, 2013.



Sandra A Gomez
Signature of Notary Public

Sandra A Gomez
Typed or Printed Name

1-11-15
Notary Commission Expires



COMMISSIONERS COURT COMMUNICATION

AGENDA DATE : __8/5/13__

CONSENT OR REGULAR: _____ CONSENT _____

CONTRACT REFERENCE NO
(IF APPLICABLE): _NONE_____

SUBJECT:

Approve the rehire of County retiree, Kitty Schild, effective 8/5/13, as required by the Texas County and District Retirement System and County policy regarding rehiring of retirees.

BACKGROUND/DISCUSSION OF TOPIC:

This requirement comes as a result of House Bill (HB 633) that was enacted by the 79th Texas State Legislature and became effective January 1, 2006. The County also took action to include the requirement in its policies in June 2008 to make the rules regarding rehiring retirees known to our County officials and staff to insure our hiring practices are in compliance with the law.

Section 842.110 of the Government Code allows for a person who has retired from the County with a service retirement annuity based on a bona fide termination of employment to return to employment with the County without suffering a suspension of their annuity. It sets out the requirements the County and the retiree must follow in order for this to occur. The retiree must have retired through TCDRS and had a full calendar month break in service from the County. There cannot be any previous agreement or promises with the employee that they are going to be rehired prior to the employee's retirement or rehire. The hiring process must be open, competitive, and fair and the retiree cannot receive any preferential status in the hiring process. Affidavits must be completed by the retiree and the department head of elected official wishing to hire the retiree affirming the process has been followed. The request to hire a retiree must show that there was no preferential status given to the retiree and be approved by the Commissioners' Court.

The required affidavits are attached and by his affidavit, Mike Izquerido has stated that this hire and the process meet the requirements. It is requested that Commissioners Court approve the hire to finalize the process.

FISCAL IMPACT:

NONE

PRIOR COMMISSIONERS COURT ACTION (IF ANY):

NONE

RECOMMENDATION:

Approve the rehire of County retiree, Kitty Schild, effective 8/5/13 as a Visiting Judge under the Council of Judges Administration as required by the Texas County & District Retirement System and County policy regarding rehiring of retirees.

COUNTY ATTORNEY APPROVAL

The attached document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

COUNTY ATTORNEY:

LEGAL REVIEW:

LEGAL REVIEW NOTES (If Applicable):

DATE:

SUBMITTED BY:

Martha A. Banales. Office Manager. Council of Judges Administration. (915) 546-2143.