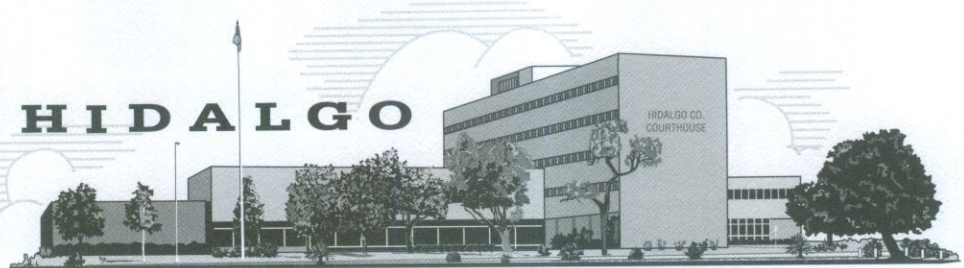


# COUNTY of HIDALGO

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)



EDINBURG, TEXAS 78539

March 17, 2017

The Honorable Ramon Garcia, Hidalgo County Judge  
The Honorable David Fuentes, Commissioner, Precinct No. 1  
The Honorable Eduardo "Eddie" Cantu, Commissioner, Precinct No. 2  
The Honorable Jose M. Flores, Commissioner, Precinct No. 3  
The Honorable Joseph Palacios, Commissioner, Precinct No. 4

## RE: Certification of Revenue


Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.07075 SPECIAL BUDGET FOR REVENUE RECEIVED AFTER START OF FISCAL YEAR.

The county auditor shall certify to the commissioners court the receipt of revenue from a new source not anticipated before the adoption of the budget and not included in the budget for that fiscal year. On certification, the court may adopt a special budget for the limited purpose of spending the revenue for general purposes or for any of its intended purposes.

I, Ray Eufrazio, County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the revenue received from a transfer from Jail Commissary Trust Fund in the amount of \$111,794.56 to fund the removal and replacement of privacy partitions at the Hidalgo County Adult Detention Center. These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

CERTIFIED BY:

  
Raymundo Eufrazio, CPA  
Hidalgo County Auditor

3/17/17  
Date

### HIDALGO COUNTY DISTRICT JUDGES

LUIS M. SINGLETERRY  
JUDGE, 92<sup>ND</sup> D.C.

RODOLFO DELGADO  
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.

JUAN R. PARTIDA  
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.

## Nereyda Gonzalez

---

**From:** Linda Fong [Linda.Fong@auditor.co.hidalgo.tx.us]  
**Sent:** Tuesday, March 14, 2017 2:13 PM  
**To:** Nereyda Gonzalez  
**Cc:** Marcela Luna  
**Subject:** FW: Certification of Revenues  
**Attachments:** JAIL.COMM.PARTITIONS.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Emilia Uriegas [<mailto:emilia.uriesgas@hidalgo.org>]  
**Sent:** Monday, March 13, 2017 12:37 PM  
**To:** [ray.eufracio@auditor.co.hidalgo.tx.us](mailto:ray.eufracio@auditor.co.hidalgo.tx.us); [linda.fong@auditor.co.hidalgo.tx.us](mailto:linda.fong@auditor.co.hidalgo.tx.us)  
**Cc:** [rosieg@hidalgo.org](mailto:rosieg@hidalgo.org)  
**Subject:** Certification of Revenues

Mr. Eufracio:

This is to request the Certification of Revenues for \$111,794.56 (Jail Commissary Account Program 280-015) in reference to **AI#58933**. I will be requesting that the item be included on CC agenda of 03/21/17 for expediting the project.

Should you require additional information or have any questions, feel free to call me.

Thank you.

Emilia Uriegas  
Budget Manager II  
Hidalgo County Sheriff's Office  
393-6028

AI-58933

Sheriff's Office 9. D.

CC - REGULAR

**Meeting Date:** 03/21/2017

**Submitted For:** Gabriel Castaneda, SHERIFF DEPT.

**Submitted By:** Emilia Uriegas, SHERIFF DEPT.

**Department:** SHERIFF DEPT.

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**Information**

**CAPTION**

Jail Commissary (2102):

1. Approval of certification of revenues as certified by the County Auditor.
2. Approval of appropriation of funds in the Jail Commissary account for the amount of \$111,794.56.

**BACKGROUND**

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**Fiscal Impact**

**FISCAL YEAR:** 2017

**ACCT. #:** 7-2102-423-21-280-015-0-430

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

**MATCHING FUNDS Y/N?:**

**BUDGETARY IMPACT:**

Funds available as of 03/17/2017, as provided by the Jail Commissary Bank Account. Monies forwarded to County Treasurer's Office (Receipt No. 208271 dated 03/09/17).

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**Attachments**

budget.amendment

Request for COR

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**Form Review**

**Inbox**

Emilia Uriegas (Originator)

Budget & Management

Final Approval

Form Started By: Emilia Uriegas

**Reviewed By**

Emilia Uriegas

Veronica Ortiz

**Date**

03/17/2017 11:59 AM

03/17/2017 01:16 PM

Started On: 03/13/2017 11:55 AM



OFFICIAL HIDALGO COUNTY RECEIPT  
OFFICE OF THE COUNTY TREASURER  
NORMA G. GARCIA

Receipt No: 208271

Received From: SHERIFF'S OFFICE 03/08/17

Date 03/09/17

1	5300	JAIL COMMISSARY TRUST FUNDS	7-2102-391-03-000-426-0-000	111,794.56
---	------	-----------------------------	-----------------------------	------------

Total: 111,794.56

Check Total	111,794.56
Cash Total	.00
Credit Total	.00
Other Total	.00

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**HIDALGO COUNTY JAIL COMMISSARY**

P.O. BOX 1228  
EDINBURG, TX 78540  
PH. 956-381-7900 EXT. 7928

**LONESTAR NATIONAL BANK**  
WWW.LONESTARNATIONALBANK.COM

88-1168/1149

5300

3/8/2017

PAY TO THE ORDER OF Hidalgo County Treasurer

\*\*111,794.56

One Hundred Eleven Thousand Seven Hundred Ninety-Four and 56/100

\$

DOLLARS

Hidalgo County Treasurer

Valid After 90 Days

MEMO

⑈005300⑈ ⑆114911687⑆ 710 15949⑈

**HIDALGO COUNTY JAIL COMMISSARY**

Hidalgo County Treasurer

3/8/2017

For repairs and upgrade to Jail's Privacy Partitions

111,794.56

5300

Cash on Deposit - LS

111,794.56

**HIDALGO COUNTY JAIL COMMISSARY**

Hidalgo County Treasurer

3/8/2017

For repairs and upgrade to Jail's Privacy Partitions

111,794.56

5300

Cash on Deposit - LS

111,794.56

DATE: March 13, 2017  
 DEPARTMENT HEAD: J. E. "Eddie" Guerra  
 DEPARTMENT NAME: Jail Commissary  
 ACCOUNT NUMBER: 7-2102-423-21-280-015-0-430

SUBJECT: Budget Amendments (Increases) in Accordance with Local Government Code, Chapter 111, Subchapter C

Honorable Commissioners' Court of Hidalgo County:

I would like to request the following Amendments (increases) to my budget in accordance with Local Government Code, Chapter 111, Subchapter C

INCREASE ACCOUNT NUMBER(S)	ACCOUNT OBJECT NAME	AMOUNT
7-2102-423-21-280-015-0-430	Jail Commissary--Repair & Maintenance Services	111,794.56
7-2102-391-03-000-426-0-000	Transfers In - Jail Commissary	111,794.56
TOTAL APPROPRIATIONS		<u>111,794.56</u>

← Revenue account needs to be entered. A revised budget amendment will be attached.

REASON: To appropriate funding for the removal and replacement of privacy partitions at the Hidalgo County Adult Detention Center.

\_\_\_\_\_  
 DEPARTMENT HEAD SIGNATURE \_\_\_\_\_  
 / /  
 DATE

\_\_\_\_\_  
 APPROVED COMMISSIONERS' COURT \_\_\_\_\_  
 ATTEST COUNTY CLERK

## Nereyda Gonzalez

---

**From:** Linda Fong [Linda.Fong@auditor.co.hidalgo.tx.us]  
**Sent:** Friday, March 17, 2017 2:00 PM  
**To:** Nereyda Gonzalez  
**Subject:** FW: AI-58933  
**Attachments:** Partition Justification.pdf

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**From:** Roy Quintanilha [mailto:roy.quintanilha@hidalgoso.org]  
**Sent:** Friday, March 17, 2017 11:43 AM  
**To:** Letty Chavez <Letty.Chavez@auditor.co.hidalgo.tx.us>  
**Cc:** Gabriel Castaneda <gabriel.castaneda@hidalgoso.org>; arcy duran <arcy.duran@auditor.co.hidalgo.tx.us>; Linda Fong <linda.fong@auditor.co.hidalgo.tx.us>; emilia uriegas <emilia.uriegas@hidalgoso.org>; Vivian Garza <Vivian.Garza@auditor.co.hidalgo.tx.us>; Chief Mario.Lopez <mario.lopez@hidalgoso.org>; Rosie Gonzalez <rosieg@hidalgoso.org>; Capt Madrigal work <belinda.madrigal@hidalgoso.org>; Josephine Ramirez <josephine.ramirez@da.co.hidalgo.tx.us>  
**Subject:** Re: AI-58933

Good morning Ms. Chavez,

Attached is a copy of our request from the District Attorneys Office for use of the funds two projects. The partitions were one of the two.

The partitions will be replace the partitions in every housing unit that is rusted past the point of repair.

The partitions provides inmates with privacy while using the toilet or stepping out of the showers.

Please let me know if you need any further information.

Chief Roy Quintanilha.

---

**From:** "Letty Chavez" <Letty.Chavez@auditor.co.hidalgo.tx.us>  
**To:** "roy quintanilha" <roy.quintanilha@hidalgoso.org>  
**Cc:** "Gabriel Castaneda" <gabriel.castaneda@hidalgoso.org>, "arcy duran" <arcy.duran@auditor.co.hidalgo.tx.us>, "Linda Fong" <linda.fong@auditor.co.hidalgo.tx.us>, "emilia uriegas" <emilia.uriegas@hidalgoso.org>, "Vivian Garza" <Vivian.Garza@auditor.co.hidalgo.tx.us>  
**Sent:** Thursday, March 16, 2017 10:06:14 AM  
**Subject:** AI-58933

Good morning,

Agenda item 58933 is requesting certification of revenues in the amount of \$111,794.56 to appropriate funding for the removal and replacement of privacy partitions at the jail.

Pursuant to Local Government Code §351.0415 (c), (c) The sheriff may use commissary proceeds only to:

- (1) fund, staff, and equip a program addressing the social needs of the county prisoners, including an educational or recreational program and religious or rehabilitative counseling;
- (2) supply county prisoners with clothing, writing materials, and hygiene supplies;

- (3) establish, staff, and equip the commissary operation and fund the salaries of staff responsible for managing the inmates' commissary accounts;
- (4) fund, staff, and equip an educational use and a law library for the educational use of inmates; or
- (5) fund physical plant improvements, technology, equipment, programs, services and activities that provide for the well-being, health, safety, and security of the inmates and the facility.

Please provide me with information to determine if the use of commissary funds for the removal and replacement of privacy partitions is allowed by statute (i.e., where will the partitions be located, who will benefit from the use of the partitions, etc..).

*Letty Chavez*

**Compliance Audit Supervisor  
Hidalgo County Auditor's Office  
(956) 318-2511 ext. 4651**

CONFIDENTIALITY NOTICE

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Zimbra

roy.quintanilha@hidalgo.org

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**Re: Use of Commissary Funds**

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**From :** Josephine Ramirez  
<josephine.ramirez@da.co.hidalgo.tx.us>

Mon, Nov 28, 2016 10:39 AM

**Subject :** Re: Use of Commissary Funds

**To :** Roy Quintanilha  
<roy.quintanilha@hidalgo.org>

**Cc :** Ruben Hinojosa  
<ruben.hinojosa@hidalgo.org>, Sheriff  
Guerra <sheriff.guerra@hidalgo.org>, Chief  
Mario Lopez <mario.lopez@hidalgo.org>,  
Gabriel Castaneda  
<gabriel.castaneda@hidalgo.org>, Capt  
Madrigal work  
<belinda.madrigal@hidalgo.org>, Joe  
Vasquez <joe.vasquez@hidalgo.org>, Daniel  
Casarez <daniel.casarez@hidalgo.org>,  
Victor Garza  
<victor.garza@da.co.hidalgo.tx.us>, Mary  
Cheaney <mary.cheaney@da.co.hidalgo.tx.us>

Chief,

As our office has previously advised, the Texas Local Government Code dictates that the sheriff or the sheriff's designee may use commissary proceeds for a limited number of purposes, one of which is:

"[to] fund physical plant improvements, technology, equipment, programs, services, and activities that provide for the well-being, health, safety, and security of the inmates and the facility."

Tex. Loc. Gov't Code §351.0415(c)(5).

As you have represented that the proposed purchase will be used for the well being, health, and safety of inmates, and without further guidance that such a

purchase is not permitted by section 351.0415(c)(5), it is our belief that the Sheriff's Office may use these funds for this expense.

Further, as the Sheriff has wide discretion to determine how to use these funds to meet the needs of the inmates and the facility, the improvements/repair and replacement of items described below appear to be permissible purchases in accordance with the applicable code provisions.

Should you need any further assistance from our office, please feel free to contact me.

Thank you,

**Josephine Ramirez Solis**

*Assistant Criminal District Attorney*

Chief - Civil Division

**Office of Criminal District Attorney**

Hidalgo County, Texas

100 E. Cano

Edinburg, TX 78539

(956) 292-7609 ext. 8186

(956) 318-2079 FAX

[josephine.ramirez@da.co.hidalgo.tx.us](mailto:josephine.ramirez@da.co.hidalgo.tx.us)

\*\*\*\*\*

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\*\*\*\*\*

On Mon, Nov 14, 2016 at 4:22 PM, Roy Quintanilha  
<[roy.quintanilha@hidalgo.org](mailto:roy.quintanilha@hidalgo.org)> wrote:

Good morning Ms. Ramirez,

As previously discussed, any use of Commissary Funds for building renovations will be run through your office to determine if the projects meet the requirements of the Texas Local Government Code Section 351.0415

Sec. 351.0415. COMMISSARY OPERATION BY SHERIFF OR PRIVATE VENDOR. (a) The sheriff of a county or the sheriff's designee, including a private vendor operating a detention facility under contract with the county, may operate, or contract with another person to operate, a commissary for the use of the inmates committed to the county jail or to a detention facility operated by the private vendor, as appropriate. The commissary must be operated in accordance with rules adopted by the Commission on Jail Standards.

(b) The sheriff or the sheriff's designee:

- (1) has exclusive control of the commissary funds;
- (2) shall maintain commissary accounts showing the amount of proceeds from the commissary operation and the amount and purpose of disbursements made from the proceeds; and

(3) shall accept new bids to renew contracts of commissary suppliers every five years.

(c) The sheriff or the sheriff's designee may use commissary proceeds only to:

- (1) fund, staff, and equip a program addressing the social needs of the inmates, including an educational or recreational program and religious or rehabilitative counseling;
- (2) supply inmates with clothing, writing materials, and hygiene supplies;
- (3) establish, staff, and equip the commissary operation and fund the salaries of staff responsible for managing the inmates' commissary accounts;
- (4) fund, staff, and equip both an educational and a law library for the educational use of inmates; or
- (5) fund physical plant improvements, technology, equipment, programs, services, and activities that provide for the well-being, health, safety, and security of the inmates and the facility.

We have two specific projects that would require the use of commissary funds.

The first project is the removal, disposal, replacement and installation of the steal privacy partitions in each housing unit. the partitions are designed to provide some privacy for inmates that are showering our using the toilets in common

areas. A total of 87 partitions of various sizes will need to be replaced. Attached is a sketch of what a partition will look like. Estimated cost for this project will be over \$50,000.00...

The second item is for removal, disposal of old padding and the replacement and installation of new padding in two cells in booking commonly referred to as a padded cell. In addition to the padded cells in booking, the project would include the engineering, labor and product for converting of three single cells (1 in Echo or protective custody cells, 1 in Alpha or female dorm housing unit and 1 in the infirmary) to padded cells. This would increase our capacity to place violent, suicidal prisoners in a safer cell reducing self injury to the inmate. Estimated cost for this project will be over \$50,000.00...

Both projects would be a benefit to the inmates well-being, health and safety. Both projects would need the Hidalgo County Purchasing Department to seek out bids. Once a vendor has been selected and the cost of each projects is known, we will transfer the appropriate amounts for the Purchase Orders as has been the practice to date.

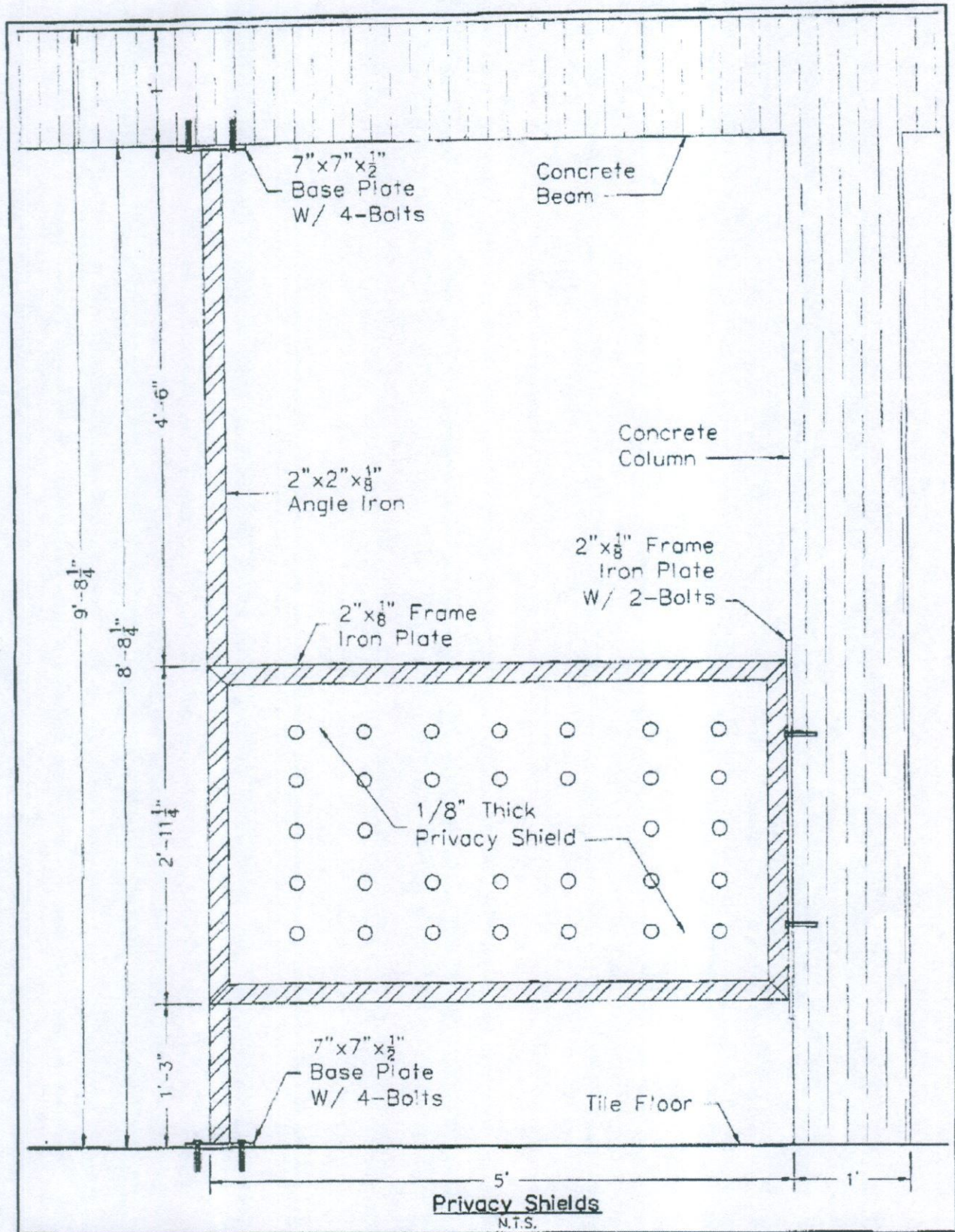
Costs for these projects are were not included in the 2016 budget request for 2017. Both are essential for safe operations. Funding is available in Commissary accounts.

Thank you in advance for your attention to this request.

Thank You.

Chief Roy Quintanilha

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Drawing: 1\Jobs Details\Privacy Shield.dwg  
 Layout Tab: Layout1 Date: 07/07/2016 Time: 04:44:14 PM