

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

April 28, 2021

The Honorable Richard Cortez, Hidalgo County Judge  
The Honorable David 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**

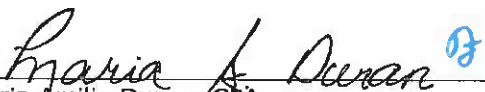
Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.07075 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, Maria Arcilia Duran, 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 \$69,382.01 to fund the construction of center wall addition in the Adult Detention Facility Releasing Area. These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

CERTIFIED BY:

  
\_\_\_\_\_  
Maria Arcilia Duran, CRA  
Hidalgo County Auditor

4-28-21  
\_\_\_\_\_  
Date

**HIDALGO COUNTY DISTRICT JUDGES**

LUIS M. SINGLETERRY JUDGE, 22<sup>ND</sup> D.C.    FERNANDO MARRAS JUDGE, 23<sup>RD</sup> D.C.    J. R. "BOBBY" FLORES JUDGE, 138<sup>TH</sup> D.C.    ROSÉ GUERRA REYNA JUDGE, 206<sup>TH</sup> D.C.    MARLA CUELLAR JUDGE, 276<sup>TH</sup> D.C.    MARIO E. RAMIREZ, JR. JUDGE, 352<sup>ND</sup> D.C.    NOE GONZALEZ JUDGE, 573<sup>RD</sup> D.C. OVERSEER    LETICIA LOPEZ JUDGE, 587<sup>TH</sup> D.C.    L. XENO VASQUEZ JUDGE, 388<sup>TH</sup> D.C.    ISRAEL RAMON, JR. JUDGE, 430<sup>TH</sup> D.C.    RENEE R. BETANCOURT JUDGE, 445<sup>TH</sup> D.C.    JOSE "JOE" RAMIREZ JUDGE, 447<sup>TH</sup> D.C.



Nereyda Gonzalez &lt;nereyda.gonzalez@auditor.co.hidalgo.tx.us&gt;

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**Fwd: Certification of Revenues Request for \$69,382.01 (Jail Commissary)**

1 message

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**Linda Fong** <linda.fong@auditor.co.hidalgo.tx.us>  
To: Nereyda Gonzalez <nereyda.gonzalez@auditor.co.hidalgo.tx.us>  
Cc: Leticia Chavez <letty.chavez@auditor.co.hidalgo.tx.us>

Wed, Apr 28, 2021 at 8:22 AM

Please prepare the certification of revenue. The backup is attached to AgendaQuick (AI-80545). Please note that the funds were incorrectly receipted (A257028) into an expenditure account instead of the transfer-in account. A JE will need to be prepared to reclassify the funds.

Thank you,

**Linda Fong**

First Assistant Auditor  
Hidalgo County Auditor's Office  
2808 South Business Highway 281, Edinburg, Texas 78539  
Phone: (956) 318-2511 ext. 4668  
Fax: (956) 318-2577  
Email: linda.fong@auditor.co.hidalgo.tx.us

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----- Forwarded message -----

From: **Sabrina Solis** <sabrina.solis@hidalgoso.org>  
Date: Tue, Apr 27, 2021 at 5:06 PM  
Subject: Fwd: Certification of Revenues Request for \$69,382.01 (Jail Commissary)  
To: Arcilia Duran <Arcilia.Duran@auditor.co.hidalgo.tx.us>  
Cc: linda.fong <linda.fong@auditor.co.hidalgo.tx.us>, Letty Chavez <letty.chavez@auditor.co.hidalgo.tx.us>, Emilia Uriegas 1489 <emilia.uriegas@hidalgoso.org>, Miguel A Rodriguez 5734 <miguel.arodriguez@hidalgoso.org>

Ms. Duran:

This is to formally request the certification of revenues in the amount of \$69,382.01 (Jail Commissary Account Program 2102) in reference to AI# 80545 for CC agenda of 5/04/2021.  
Should you require additional information, feel free to contact our office

Respectfully,

Sabrina Solis, MBA  
Accountant IV  
Hidalgo County Sheriff's Office • Financial Services Division  
Edinburg, Texas 78542 • Phone: (956) 393-6151  
sabrina.solis@hidalgoso.org

AI-80545

CC REGULAR AGENDA SPECIAL MTG

Meeting Date: 05/04/2021  
Submitted By: Sabrina Rodriguez, SHERIFF DEPT.  
Department: SHERIFF DEPT.

Information

CAPTION

Jail Commissary (2102):  
Approval of Certification of Revenues by the County Auditor and appropriation of funds in the amount of \$69,382.01.

BACKGROUND

To certify the revenues (\$69,382.01) previously transferred from Jail Commissary bank account for Construction of Hidalgo County Detention Center Wall Addition to Releasing Area. Pursuant to §351.0415(c)(5) Tex. Local Gov't Code, Sheriff's Office Construction of Wall Partition in Adult Detention Facility Releasing Area for the Adult Detention Facility, aka, County Jail, through job order contractor, Noble Texas Builders, LLC through HC membership/participation with Buy Board Cooperative Purchasing Program- JOC Contract # 581-19

Fiscal Impact

CALENDAR YEAR:	2021 ACCT. #:	1-2102-423-21-280-015-0-452
FUNDS AVAILABLE Y/N?:	Y	MATCHING FUNDS Y/N?: N

BUDGETARY IMPACT:

Funding is provided by the Jail Commissary Bank Account.

Attachments

COR Request

Legal Approval

Quote

Receipt

BA

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### Form Review

Inbox

Reviewed By

Date

Emilia Uriegas

Budget & Management

Final Approval

Form Started By: Sabrina Rodriguez

Started On: 04/22/2021 01:44 PM

From: "LT Rogelio Mendez 1881" <roy.mendez@hidalgo.org>  
To: "Sabrina Solis" <sabrina.solis@hidalgo.org>  
Subject: FW: Use of Commissary Funds - Releasing Lobby Wall  
Date: 2/9/2021 2:45:52 PM

Greeting Sabrina,  
We are approved to proceed with Commissary Funds, please see below.

From: Cpt. David Friedlein [mailto:david.friedlein@hidalgo.org]  
Sent: Tuesday, February 9, 2021 2:43 PM  
To: LT Rogelio Mendez 1881 <roy.mendez@hidalgo.org>  
Subject: Fwd: Use of Commissary Funds - Releasing Lobby Wall

Please see the legal opinion regarding the wall partition in the Releasing Area at the Hidalgo County Adult Detention Center. Thanks

Cooperatively,

David D. Friedlein II, MSCJ  
Captain - Administration  
P.O. Box 1228 Edinburg, Texas 78542  
Office 956-393-6082 Fax 956-393-6021  
Work Cell 956-457-4770

--- Original Message ---

From: "David Cantu" <david.cantu@da.co.hidalgo.tx.us>  
Sent: 2/9/2021 2:33:14 PM  
To: "friedlein, david" <David.friedlein@hidalgo.org>  
Cc: "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>, "Victor Garza" <victor.garza@da.co.hidalgo.tx.us>, scar.montoya@hidalgo.org  
Subject: Use of Commissary Funds - Releasing Lobby Wall

Cpt. Friedlein,

Our office reviewed the request your office sent regarding the prospective construction of a wall partition in the Releasing Area at the Hidalgo County Adult Detention Center and the use of commissary funds. Our office's recommendation is as follows:

You have identified and represented that the construction of a wall partition in the Releasing Area at the Hidalgo County Adult Detention Center would fall within the scope of "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" under 351.0415(c)(5) Tex. Local Gov't Code. As our office has advised in the past, the use of the commissary funds is guided by the Texas Local Gov't Code. The Local Government Code dictates that the sheriff or the sheriff's designee may use commissary proceeds for a limited number of purposes, including the purchase of "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." See Tex. Loc. Gov't Code §351.0415(c)(5)

As you have represented that the proposed construction of a wall partition in the Releasing Area at the Hidalgo County Adult Detention Center will create a controlled access releasing hallway, thus improving the safe and secure release of inmates, which is intended for the well-being, health, safety, and security of the inmates and the facility; and without further guidance that such a purchase is not permitted by section 351.0415(c)(5), it is within the Sheriff's discretion to use these funds for this purpose.

Again, as we have previously advised, although the sheriff has exclusive control over the funds, the sheriff's determination of the appropriateness of these expenditures is subject to judicial review under an abuse of discretion standard, as well as administrative review by the Commission on Jail Standards.

Please let us know if you have any questions or concerns

Sincerely,

David R. Cantu

Assistant District Attorney  
Civil Litigation Division  
Office of the Criminal District Attorney  
Hidalgo County, Texas  
100 E. Cano  
Edinburg, Texas 78539  
(361) 292-7609  
(361) 292-7619 FAX  
[david.cantu@da.co.hidalgo.tx.us](mailto:david.cantu@da.co.hidalgo.tx.us)

Receipt No 257026 Old Ref No [Redacted] Batch No 21 001520 Customer  
 Date 04-27-2021 Statement No [Redacted] Bank No 07 Received From SHERIFF'S HIDALGO CO. JAIL COMMISSARY

**Totals**

Cash	Credit
Check	Memo
69,382.01	

Mailing Name  
 Address [Redacted]

Credits	Description	Account Number	Amount	Notation
	CONSTRUCT OF WALL PARTITN @ADULT DE	1-2102-423-21-280-015-0-452	69,382.01-	6004
	[Redacted]	[Redacted]		
<b>Debits</b>				
	CONSTRUCT OF WALL PARTITN @ADULT DE	1-2102-101-00-000-000-0-000	69,382.01	
	[Redacted]	[Redacted]		



OFFICIAL HIDALGO COUNTY RECEIPT  
OFFICE OF THE COUNTY TREASURER  
LITA L. LEO

Receipt No: 257028

Received From: SHERIFF'S HIDALGO CO. JAIL COMMISSARY

Date 04/27/21

1	6004	CONSTRUCT OF WALL PARTITN (ADULT DETENTN 1-2102-423-21-280-015-0-452	69,382.01
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Note:

Receipt will be corrected.

Total:

69,382.01

Should have credited

account 1-2102-391-03-000-000-0-426.

Check Total	69,382.01
Cash Total	.00
Credit Total	.00
Other Total	.00

*LL* 4/28/21

