

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

May 3, 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 \$1,333.20 to fund construction material observation and testing services for the construction of center wall addition to releasing area of the Adult Detention facility. 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, CPA
Hidalgo County Auditor



Date

HIDALGO COUNTY DISTRICT JUDGES

LUIS M. SINGLETON
JUDGE, 52ND D.C.

FERMINANDO NANCUS
JUDGE, 53RD D.C.

J. R. "BOBBY" FLORES
JUDGE, 119TH D.C.

ROSE GUERRA REYNA
JUDGE, 204TH D.C.

MARLA CUELLAR
JUDGE, 275TH D.C.

MARIO E. RAMIREZ, JR.
JUDGE, 332ND D.C.

NOE GONZALEZ
JUDGE, 370TH D.C.
OVERSEER

LETICIA LOPEZ
JUDGE, 389TH D.C.

L. KENO VASQUEZ
JUDGE, 394TH D.C.

ISRAEL RAMON, JR.
JUDGE, 430TH D.C.

RENEE R. BETANCOURT
JUDGE, 449TH D.C.

JOSE "JOE" RAMIREZ
JUDGE, 464TH D.C.



Nereyda Gonzalez <nereyda.gonzalez@auditor.co.hidalgo.tx.us>

Fwd: Certification of Revenues

1 message

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 4:45 PM

Please prepare the certification of revenue. The backup is attached to AgendaQuick (AI-80602).

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: **Miguel A Rodriguez 5734** <miguel.ardríguez@hidalgo.org>
Date: Wed, Apr 28, 2021 at 3:59 PM
Subject: Certification of Revenues
To: <Arcilia.Duran@auditor.co.hidalgo.tx.us>
Cc: <LINDA.FONG@auditor.co.hidalgo.tx.us>, <letty.chavez@auditor.co.hidalgo.tx.us>, Emilia Uriegas 1489 <emilia.uriegas@hidalgo.org>, Sabrina Solis <sabrina.solis@hidalgo.org>

Ms. Duran:

This is to formally request the certification of revenues in the amount of \$1,333.20 (Jail Commissary Account Program 2102) in reference to AI# 80602 for CC agenda of 5/04/2021.
Should you require additional information, feel free to contact our office.

Best,
Miguel Rodriguez
Program Manager I
Hidalgo Co. Sheriff's Office
956-393-6176
miguel.ardríguez@hidalgo.org

AI-80602

Sheriff's Office 8. E.

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 \$1,333.20.

BACKGROUND

To certify the revenues (\$1,333.20) previously transferred from Jail Commissary bank account for Construction Materials Observation and Testing Services for the 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 vendor, Raba Kistner

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

Form Review

Inbox

Reviewed By

Date

Budget & Management

Veronica Ortiz

04/28/2021 03:53 PM

Final Approval

Form Started By: Sabrina Rodriguez

Started On: 04/27/2021 01:19 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@hidalgoso.org]
Sent: Tuesday, February 9, 2021 2:43 PM
To: LT Rogelio Mendez 1881 <roy.mendez@hidalgoso.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@hidalgoso.org>
Cc: "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>, "Victor Garza" <victor.garza@da.co.hidalgo.tx.us>, scar.montoya@hidalgoso.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
(356) 292-7609
(356) 292-7619 FAX
david.cantu@da.co.hidalgo.tx.us

Receipt No **257073** Old Ref No Batch No **21 001557** Customer
 Date **04-28-2021** Statement No Bank No **07** Received From **SHERIFF'S HIDALGO CO. JAIL COMMISSARY**

Totals

Cash	Credit
Check	Memo
1,333.20	

Mailing Name
 Address

Credits	Description	Account Number	Amount	Notation
	CONSTRUCTN MATERIAL OBSERVATN & TES	1-2102-391-03-000-000-0-426	1,333.20	6006
<div style="background-color: #cccccc; height: 40px; width: 100%;"></div>				
Debits	Description	Account Number	Amount	Notation
	CONSTRUCTN MATERIAL OBSERVATN & TES	1-2102-101-00-000-000-0-000	1,333.20	
<div style="background-color: #cccccc; height: 40px; width: 100%;"></div>				

DATE: April 28, 2021
DEPARTMENT HEAD: Sheriff J.E. "Eddie" Guerra AI-80602
DEPARTMENT NAME: Jail Commissary
ACCOUNT NUMBER: 1-2102-423-21-280-015-0-452

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 OBJECT NUMBER'S)	ACCOUNT OBJECT NAME	AMOUNT
1-2102-423-21-280-015-0-452	Jail Commissary--Bldg Add & Renov	1,333.20

TOTAL APPROPRIATIONS 1,333.20

1-2102-391-03-000-000-0-426 Transfers In--Jail Commissary Trust Fund 1,333.20

TOTAL REVENUES 1,333.20

REASON: **Funding for the Construction Material Testing of Wall Partition in the Releasing Area of the Hidalgo County Sheriff's Adult Detention Center (County Jail).**

Emilia Vargas
 DEPARTMENT HEAD SIGNATURE

4 28 21
 DATE

 APPROVED COMMISSIONERS' COURT

 ATTEST COUNTY CLERK