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By Opinion Committee at 9:56 am, Oct 14, 2022

OFFICE OF THE STARR COUNTY ATTORNEY

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RQ-0482-KP

FILE# ML-49186-22

I.D.# 49186

Rene P. Montalvo
County Attorney

Jennifer L. Vasquez
First Asst. County Attorney

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Asst. County Attorney

Adalberto "Beto" Garza, Jr.
Investigator

October 14, 2022

Office of the Attorney General
Attention Opinion Committee
P.O. Box 12548
Austin, Texas 78711-2548

via: opinion.committee@oag.texas.gov

RE: Request for Opinion

Dear Texas Attorney General Opinion Committee:

I received and am forwarding for your consideration the enclosed request for an opinion addressing the factual circumstances described therein.

My preliminary review of the enclosed request led me to the following perhaps applicable authority that may contribute to your analysis and review.

- (1) Texas Attorney General Opinion No. GA-0988
- (2) Texas Health and Safety Code Sec. 364.0341

Please advise if you have any questions or require additional information. Thank you for your consideration of this matter.

Very truly yours,

Rene P. Montalvo
Starr County Attorney

RPM/a

Cc:

(1) Grande Garbage Collection Co.
Attn: Mr. Patricio Hernandez
505 East Main Street
Rio Grande City, TX. 78582

(2) The City of Escobares
Attn: City Attorney Office
Ms. Martie Garcia, Attorney
Mr. Daniel Garcia, Attorney

Via E-Mail: martie.garcia@gmail.com
danieljgarcialaw@gmail.com

ENCLOSURE: as stated

Patricio Hernandez CEO
Grande Garbage Collection Co.
505 E. Main St.
Rio Grande City, Texas 78582
patricio9914@yahoo.com
956-735-9914

October 6, 2022

Rene Montalvo
Starr County Attorney
401 N. Britton Ave. # 405
Rio Grande City, Texas 78582

RE: City of Escobares

Dear Mr. Montalvo,

I am Patricio Hernandez Owner and operator of Grande Garbage Collection Co., LLC. (GGCC). I am writing to you to ask for your assistance in securing a legal opinion from the Texas Attorney General's Office concerning the following matter:

The City of Escobares, Texas, is a legally incorporated city within the geographic boundaries of Starr County, Texas. It owns and operates a trash collection service for its constituents.

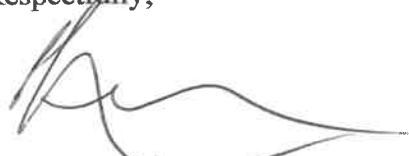
GGCC is a privately owned and operated company offering and providing trash collection services to all Starr County citizens except for those within the City of Escobares.

The dilemma: The City of Escobares is currently offering trash collection services outside of their geographic boundaries and using public funds to operate equipment, personnel and billing expenses. This has hurt GGCC and/or will actively hurt other privately owned companies within the area if The City of Escobares is allowed to continue with their business practices.

Please review, consider and provide feedback with your findings. If I can provide you with more information, please contact me.

Thank you for your attention to this matter.

Respectfully,



PATRICIO HERNANDEZ