

FACT SHEET**PROPOSED CITY OF AUSTIN ORDINANCE TO DECLARE THE COMMERCIAL COLLECTION OF WASTE AND RECYCLABLES A PUBLIC UTILITY AND TO REQUIRE EVERY HAULER OF COMMERCIAL WASTE AND RECYCLABLES WITHIN THE CITY OF AUSTIN TO ENTER INTO A FRANCHISE AGREEMENT UNDER ARTICLE XI OF THE CITY CHARTER.****MAJOR NEGATIVE IMPACTS:**

- 1) A minimum 4% hidden tax on all Austin businesses and non-profit organizations for the collection of commercial waste and recyclables.
- 2) The City would confiscate the business rights of commercial solid waste collection companies by forcing each of them to sign a public utility franchise contract regulated by article XI of the City Charter.
- 3) City control over commercial waste generated in Austin would extend to all businesses and would include the right to set rates for garbage collection, the right to approve or deny the addition or replacement of equipment, and the right to direct any and all waste to City owned or operated facilities.
- 4) City could terminate the right of the hauler to operate in Austin and the City could then haul all commercial waste itself or contract the services to one or more haulers.
- 5) The enactment of this proposed franchise ordinance will end commercial waste collection competition as Austin knows it. Haulers will be unable to borrow funds for equipment or invest in long term operations improvements, when the City can terminate the haulers right to operate in Austin.
- 6) No private waste hauler could sell or transfer their business without gaining the City Council's approval in writing in the form of a City ordinance. The City would not only be authorized to deny approval of a sale or other transfer of a franchisee's business rights, but the City would have the right and prerogative to purchase a franchisee's assets associated with providing service within the City.
- 7) The City would have broad powers under the proposed ordinance and the City Charter that regulates public utilities to require that each hauler provide to the City highly confidential customer and financial information or lose the rights to drive on City streets. The information would then be available to everyone and subject to open records requests.
- 8) Businesses in Austin will receive no benefit from this hidden tax on their current cost for waste and and recyclables collection services.

Our rights as Austin businesses are being threatened! We must take action to preserve those rights! Please sign the petition stating you oppose the City of Austin's proposed franchise ordinance. Additionally, please contact the following members of the Austin City Council to express your opposition to City Staff's actions to declare commercial waste and recyclables collection a public utility. Local service providers are depending on you to help maintain an open and competitive market.

Mayor Will Wynn	will.wynn@ci.austin.tx.us (512) 974-2250
Mayor Pro Tem Brewster McCracken	brewster.mccracken@ci.austin.tx.us (512) 974-2256
Council Member Lee Leffingwell	lee.leffingwell@ci.austin.tx.us (512) 974-2260
Council Member Mike Martinez	mike.martinez@ci.austin.tx.us (512) 974-2264
Council Member Randi Shade	randi.shade@ci.austin.tx.us (512) 974-2255
Council Member Laura Morrison	laura.morrison@ci.austin.tx.us (512) 974-2258
Council Member Sheryl Cole	sheryl.cole@ci.austin.tx.us (512) 974-2266