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October 28, 2019

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## Dear Bronx City Council members,

The small business community has offered many ways to get to the stated worker security, environmental, public safety, and other public policy goals as the City has continued to announce them. We categorically reject the notion that all of these goals have to be balanced on the backs of small business owners throughout the City of New York. It is a simple proposition: we can protect the environment, make the industry safer and at the same time maintain the sanitation services that small business owners desperately need. We cannot forget the lessons of the past as we try to improve our future.

The current draft under consideration for 1574-A includes no safeguards that ensure businesses will continue to have a sufficient choice of carters. There is also a lack of oversight in this system that is not worthy of the City of New York. While we have disagreed with the approach taken up to this point and feel that the concerns of small businesses have been largely ignored, this current version being the latest example, we believe some minor adjustments in this language would serve to mitigate the bill's negative consequences and combat consolidation by multinational companies at the expense of small businesses.

1. Having the bill mandate that the **minimum** number of carters per zone be 3 and that zones could, if necessary, have up to 6 carters per zone.
  - a) If there are exigent circumstance that require a carter to be selected for more than 6 zones that must be done in a report to the City Council 90 days prior to the Sanitation Commissioner making such an award.
  - b) The Council would have the authority, by means of a majority vote, to reject such a finding by the commissioner

This minor change would protect small businesses ability to negotiate with the carter of their choice for the services they need and at a price they can afford.

2. No carter can compete in more than 6 zones.

This will ensure that the City never becomes hostage to monopolistic control of this industry the likes of which we experienced when mobs exerted undue influence over this industry.

3. At every phase in the process the Department of Sanitation Commissioner must submit a monthly/quarterly report directly to the Council, both before any zone system takes effect and after its implementation, to ensure that all negative consequences of moving to a zone franchise system can be avoided.

The bill puts enormous authority in the hands of the Sanitation Commissioner and while the current commissioner enjoys widespread goodwill, no one government official should have enshrined in law such extraordinary powers without regular oversight. We would recommend, rather than charge headlong into the same system that caused the City of Los Angeles to be held hostage by the charters they selected, that regular oversight and reporting be utilized to ensure we are not stuck with a select few providers with no way of reviving the companies that were driven out.