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Date: 8-5-08
Submitted in PLUM Committee
Council File No: 08-1057
Item: 7
Deputy: B. Gagnus

July 31, 2008

The Honorable Ed Reyes
Councilmember, City of Los Angeles
Chair, Planning and Land Use Management Committee
200 N. Spring Street, Room 410
Los Angeles, CA 90012

Dear Councilmember Reyes:

Thank you for taking time to meet with me and my fellow The Home Depot representatives to discuss the current draft ordinance to create a conditional use permit process and day laborer operating standards for home improvement stores. We appreciate the leadership that you and Councilmember Bernard Parks have devoted to develop a comprehensive and fair approach to this very complex issue.

Per our discussions, The Home Depot has serious concerns with the current draft ordinance and we ask that more time be allowed to further develop a comprehensive and effective ordinance. It is our understanding that the PLUM Committee will hear this draft ordinance at your August 5th meeting. We respectfully request that the PLUM committee delay sending the current draft ordinance to Council for the following reasons:

- Allowing for additional time is appropriate to improve the current draft ordinance. We are not aware of any impending projects that merit urgency in passing this ordinance without further work to address stakeholders' concerns.
- The current draft ordinance will discourage economic development by solely placing requirements on home improvement stores to develop operating standards for a complex societal issue that requires the cooperative involvement of various key stakeholders that are currently not mentioned in the ordinance.
- Work is underway to develop a more comprehensive alternative. The Home Depot has participated in several conversations with the Mayor's office and day labor representatives to try to develop a comprehensive policy alternative.
- The current draft ordinance is not creating an authority that the City doesn't already have. Existing approval processes allow the City to impose conditions on a home improvement store to build a shelter, should it deem appropriate.

The Honorable Ed Reyes



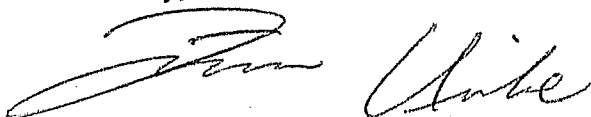
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The Home Depot suggests the following amendments to the proposed ordinance:

- The ordinance should only apply to new home improvement stores. The ordinance should not discourage existing stores from making improvements such as energy efficient upgrades or renovations.
- Non-profit day labor center operators, working with the City, shall operate day labor centers. A home improvement store should not be responsible for operating a shelter. The ordinance does not define who will operate the shelters and what standards will be used to determine their success.
- The ordinance shall provide flexibility to ensure that a day labor center is only required where appropriate. We ask that criteria be established so that the ordinance equitably impacts all applicable parties and not be limited to 100,000 square foot developments. This could include criteria such as proximity to a major thoroughfare or a pre-existing day labor presence.
- Funding - The ordinance should provide information regarding ongoing funding of the required shelters. Various options for financing of the operations of the Day Labor Centers have been discussed previously; however, the current draft ordinance fails to mention any options.
- Property - We ask that the City include language whereby the shelter site would be long term leased to the City for its use in operating a shelter.

Again, thank you for your leadership on this matter and for your consideration of our existing concerns. I look forward to working with the City on the above proposed amendments and any others that may be considered to the current draft ordinance. Please feel free to contact me at (213) 880-6059 with any questions or comments.

Sincerely,



Francisco Uribe
Senior Manager of Government Relations

cc: Councilmember Richard Alarcon
Councilmember Tony Cardenas
Councilmember Jose Huizar
Councilmember Bernard Parks
Councilmember Jack Weiss
Tom Saenz, Office of the Mayor