

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

HEARING DATE: FEBRUARY 18, 2004

DECEMBER 19, 2003, NOTICE IS HEREBY GIVEN THAT THE FOLLOWING PERSONS HAVE APPLIED FOR A LICENSE UNDER THE D.C. ALCOHOLIC BEVERAGE CONTROL ACT, THAT THE OBJECTORS ARE ENTITLED TO BE HEARD BEFORE THE GRANTING OF SUCH LICENSES ON FEBRUARY 18, 2004, 10:00 A.M., 7TH FLOOR, SUITE 7200, 941 NORTH CAPITOL ST., N.E.

APPLICATION NO. 50263, SAB RESTAURANT, INC. T/A CITY DINER & LOUNGE, RETAILER'S "C" RESTAURANT, 1208-1210 "U" ST., NW WARD 1 SMD 1B02

NATURE OF OPERATION

NEW RESTAURANT, WITH LIVE JAZZ, SOME ACCOUSTIC & PIANO PLAYERS. THIS WILL BE A 24HOUR RESTAURANT FOR FOOD SERVICE, FOR ALCOHOL SALE AND SERVICE SEE BELOW.
SUMMER GARDEN

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH SATURDAY, 12PM-2AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
FEBRUARY 3, 2004

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APPLICATION NO. 50268, DANIAL HAILEMELEKOT T/A ASMARA CAFE RETAILER'S "C" RESTAURANT, 900 FLORIDA AVE., NW WARD 1 SMD 1B02

NATURE OF OPERATION

NEW RESTAURANT, WITH RECORDED MUSIC FEATURING JAZZ & OLDIES BUT GOODIES.

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH THURSDAY, 11AM-2AM
FRIDAY AND SATURDAY, 11AM-3AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
FEBRUARY 3, 2004

RE-ADVERTISED

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
941 NORTH CAPITOL ST., NE, 7TH FLOOR
SUITE 7200
WASHINGTON, DC 20002
(202) 442-4423

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APPLICATION NO. 41338, GEORGETOWN PARKING, INC T/A VENUS HALL, RETAILER'S "C" RESTAURANT, 15 "K" STREET, NE, WARD 6 SMD 6C05

NATURE OF OPERATION

NEW RESTAURANT, WITH RECORDED AND LIVE CULTURAL MUSIC (SMALL BAND)

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

MONDAY THROUGH THURSDAY, 6PM-1AM

FRIDAY, 6PM-2AM

SATURDAY AND SUNDAY, 10AM-2AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
FEBRUARY 3, 2004

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ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
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APPLICATION NO. 50269, PORTALS HOTEL SITE LLC T/A MANDARIN ORIENTAL WASHINGTON D.C. HOTEL, RETAILER'S "C" HOTEL, 1330 MARYLAND AVE., SW WARD 2 SMD 6D02

NATURE OF OPERATION

NEW HOTEL, WITH LIVE MUSIC FEATURING PIANO, COMBO OR JAZZ BAND. SUMMER GARDEN AND SIDEWALK CAFE

SALE AND SERVICE OF ALCOHOLIC BEVERAGES

SUNDAY THROUGH THURSDAY, 10AM-2AM
FRIDAY AND SATURDAY, 10AM-3AM

PETITION AND/OR REQUEST TO APPEAR BEFORE
THE BOARD MUST BE FILED ON OR BEFORE
FEBRUARY 3, 2004

BOARD OF ELECTIONS AND ETHICS

NOTICE OF PUBLIC HEARING
RECEIPT AND INTENT TO REVIEW INITIATIVE MEASURE

The Board of Elections and Ethics shall consider in a public hearing whether the proposed "Support For a Public Hospital In The Nation's Capital" is a proper subject matter for initiative, at the regular Board meeting on Wednesday January 7, 2003 at 10:30am., One Judiciary Square, 441 4th Street, N.W., Suite 280, Washington DC

The Board requests that written memoranda be submitted for the record no later than 4:00p.m., Friday, January 2, 2004 to the Board of Elections and Ethics, General Counsel's Office, One Judiciary Square, 441 4th Street, N.W., Suite 270, Washington, D.C. 20001.

Each individual or representative of an organization who wishes to present testimony at the public hearing is requested to furnish his or her name, address, telephone number and name of the organization represented (if any) by calling the General Counsel's office on 727-2194 no later than Monday, January 5, 2004.

The Short Title, Summary Statement and Legislative Text of the proposed initiative reads as follows:

SHORT TITLE

"SUPPORT FOR A PUBLIC HOSPITAL IN THE NATION'S CAPITAL"

To restore a public hospital in the Nation's Capital.

FINDINGS

The collapse and failure of the currently contracted health care replacement of our public hospital has cost the tax payer more money and served the public less and less well than the former DC General hospital did; and
According to the Census Bureau, "In the District, about 13 percent of residents continue to lack coverage", unchanged from before the establishment of the DC Healthcare Alliance. (Washington Post, September 30, 2003); and

The City Council passed legislation (January 27, 2003) to build a full service hospital at the DC General site, which is a central, accessible and strategic location; and

City Council Chair Cropp has identified funding sources that can be used to build and maintain a public Hospital ("DC Politics Hour," W AMU Radio, March 1, 2003); and

Council Member Kevin Chavous, said "I think the mayor needs to publicly put together a long-term plan for a new public hospital on the D.C. General grounds." (Washington Post, July 26,

2003); and

The Greater Washington Board of Trade noted that the closure of DC General Hospital has wreaked financial havoc on the region and could set back some of the city's plans for revitalization (Washington Business Journal, December 13, 2002); and

The director of the Department of Health, James Buford, noted at a health care forum sponsored by the DC Black Church Initiative that the public health system should consist of the Alliance and a public hospital (January 17, 2003); and Daniel McLean, CEO of George Washington University Hospital, writing on behalf of Children's National Medical Center, George Washington University Hospital, Howard University Hospital, Providence Hospital and Washington Hospital Center said "The District needs a public hospital to serve residents in the eastern part of the city." (Washington Post, September 14, 2003).

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Support for a Public Hospital in the Nation's Capital".

Sec. 1. **Establishment of a Public Hospital.**

(a) There shall be established a nonprofit Public Health Trust ("Trust") in the District of Columbia which shall have a separate legal existence within the District of Columbia government.

(b) The Trust shall be governed by the independent Public Health Trust Commission ("Commission"), a Board of Directors, consisting of 9 members. Two (2) members shall be appointed by the Mayor, two (2) members shall be appointed by the Chairman of the Council of the District of Columbia with advice and consent of the Council members, one (1) member shall be elected from among the Advisory Neighborhood Commissioners by vote of all Advisory Neighborhood Commissioners, and one (1) member shall be appointed by each of:

- (1) The Medical Society of the District of Columbia, or its successor;
- (2) The District of Columbia Hospital Association, or its successor;
- (3) The DC Primary Care Association, or its successor;
- (4) The unions representing the employees of the hospital;

(c) The members of the Commission appointed by the Mayor and Chairman shall serve four (4) year terms. However, of the initial Commission, one (1) member appointed by the Mayor and one (1) member appointed by the Chairman shall serve two-year terms. The Advisory Neighborhood Commissioner shall be elected within 60 days after the beginning of a new term for Advisory Neighborhood Commissioners. The members appointed by other organizations shall serve at the pleasure of the group appointing them.

(d) The Commission shall establish and maintain by-laws for the operation of the Trust and the Commission.

(e) A quorum for the Commission will consist of five (5) members.

- (f) The purpose of the Trust shall be to oversee the provision of comprehensive community-centered health care for the benefit of the residents of the District of Columbia.
- (g) The comprehensive community-centered health care shall be provided through at least one full-service hospital and clinics located throughout the city.
- (h) The Trust shall be subject to all laws applicable to offices, agencies, departments, and instrumentalities of the District of Columbia government.
- (i) To accomplish these purposes, the Trust shall undertake the following
 - (1) Grant priority to the employment of residents of the District of Columbia;
 - (2) Make reasonable efforts to foster, encourage, and assist public/private partnerships in order to provide quality health and medical services on a cost effective basis;
 - (3) Consult and cooperate with certified employee organizations and bargaining units in order to smooth the transition from District of Columbia government employment to the Commission; and
 - (4) Establish procurement policies based on competition and contracts primarily with businesses that pay District of Columbia taxes and are located within the District of Columbia
- (j) All members of the Commission and the General Manager shall be residents the District of Columbia.
- (k) No Commission member may be held personally liable for any action taken in the course of his or her official duties and responsibilities as set forth in this act.

Sec.2. Powers of the Commission

The Commission shall have the following powers:

- (a) To do any and all things necessary and proper to carry out its corporate purposes, and for the exercise of the powers given to it in this act;
- (b) To issue regulations and establish policies for contracting and procurement which are consistent with principles of competitive procurement and to make and execute contracts, leases and all other agreements or instruments necessary and appropriate for the exercise of its powers and the fulfillment of its corporate purposes;
- (c) Except with respect to those assets made available for the Commission's use, to acquire, construct, and dispose of real or personal property of every kind and character, including a health facility, or any interest therein for its corporate purposes and shall seek public comment before leasing, acquiring, or disposing of property for other than health care purposes;
- (d) To operate, manage, superintend, maintain, repair, equip, and control any health facility under its jurisdiction and to establish and collect fees, rentals or other charges,

including reimbursement allowances, for the sale, lease, or sublease of any such health facility;

(e) To provide health and medical services to the public directly or by agreement with any person, firm, or private or public corporation or association, to establish policies governing admissions and health and medical services, and to establish and collect fees and other charges, including reimbursement allowances, for the provision of the health and medical services the Commission provides;

(f) To provide and maintain resident physician and intern medical services and to sponsor and conduct research, development, planning, evaluation, educational, and training programs;

(g) To provide additional services consistent with its corporate purposes, including an ambulance service to transport patients, and to adopt a schedule of appropriate charges for additional services and to provide for the collection thereof.

Sec. 3. Personnel Administration.

(a) Within 6 months of the first meeting of the Commission, the Commission shall promulgate policies, practices, and procedures relating to terms and conditions of employment for personnel employed by the Commission. Until the Commission establishes a personnel system, applicable District of Columbia law shall apply to the Commission.

(b) Nothing in this section shall preclude the establishment of a bargaining unit within the Commission by the District of Columbia Public Employee Relations Board. Within 120 days of the first meeting of the Commission, in accordance with section 3(1), the District of Columbia Public Employee Relations Board shall investigate and render determinations regarding the establishment of the units for working conditions and compensation within the commission, and pursuant to applicable statutory and regulatory provisions, certify labor organizations as the exclusive bargaining agents for these units.

Sec.4. Reports of the Commission

Within 90 days after the end of each fiscal year the Commission shall submit to the Mayor a report setting forth its operations and accomplishments during the fiscal year, revenues and expenses for the fiscal year, assets and liabilities at the end of the fiscal year including a schedule of its bonds, notes or other obligations and the status of reserves, depreciation, and for special sinking, or other funds.

Sec. 5. Representation and indemnification.

- (a) The officers and employees of the Commission shall be considered to be District Columbia government employees.
- (b) The District of Columbia government shall assume the responsibility for all settlements and judgments that result from acts or occurrences that transpired prior to the date upon which the Commission assumes responsibility for settlements and judgments under subsection (a) of this section.

Sec. 6. Fiscal Impact Statement.

Sec. 7. Effective Date

This act shall take effect after a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official § 1-206.03(c)(1)).

