

James M. Illig
President

Sonia E. Melara
Vice President

Edward A. Chow, M.D.
Commissioner

Margine A. Sako
Commissioner

David J. Sanchez, Jr., Ph.D.
Commissioner

Steven Tierney, Ed.D.
Commissioner

Catherine M. Waters, R.N., Ph.D.
Commissioner

HEALTH COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

Gavin C. Newsom, Mayor

Department of Public Health



Mitchell H. Katz, M.D.
Director of Health

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MINUTES

HEALTH COMMISSION MEETING

Tuesday, May 20, 2008

At

3:00 p.m.

101 GROVE STREET, ROOM 300 or ROOM 302
San Francisco, CA 94102

1) CALL TO ORDER

Commissioner Illig called the meeting to order at 3:05 p.m.

Present: Commissioner James M. Illig, President
Commissioner Sonia E. Melara, MSW, Vice President, arrived at 3:55 p.m.
Commissioner Edward A. Chow, M.D.
Commissioner Margine A. Sako
Commissioner Steven Tierney, Ed.D.
Commissioner Catherine M. Waters, R.N., Ph.D.

Absent: Commissioner David J. Sanchez, Jr., Ph.D. (excused)

Commissioner Illig said that the Commission would take public comment on the budget from 3:00 p.m. to 4:00 p.m., then take the 4:00 p.m. special order, and then resume public comment on the budget.

2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF MAY 6, 2008

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) approved the minutes of the May 6, 2008 Health Commission meeting.

3) GENERAL PUBLIC COMMENT

None.

4) DIRECTOR'S REPORT

Mitchell H. Katz presented his Director's Report, which was distributed to Commissioners prior to the meeting.

Board of Supervisors Update: May 12 through May 23, 2008

On Tuesday, May 13, the full Board adopted four accept and expend resolutions (\$119,181 from UCSC for an international mobility of HIV study; \$139,432 from the Public Health Foundation Enterprises to support HIV vaccine research; \$500,000 from CalTrans to support the "Safe Routes to School Project;" and \$63,567.48 from Cal/EPA to support the Aboveground Petroleum Storage Act program), passed an ordinance extending the deadline for Planning and Health Code permits for medical cannabis dispensaries, authorized the Department to enter into a contract with the California Department of Health Care Services for \$73.1 million over three years to support Healthy San Francisco, and passed a resolution proclaiming June, July and August as "Soda Free Summer" in San Francisco.

At the Land Use and Economic Development Committee on Monday afternoon May 19, there was a hearing on the status of the Eastern Neighborhoods plan. On Tuesday, the full Board will hear an ordinance to refinance the Laguna Honda variable rate general obligation bonds, resolutions extending the Planning Commission's review on liquor store siting and accepting and expending an \$18,676 grant from UCSF to support HIV rapid testing and counseling in drug abuse treatment programs, and a motion adopting the Planning Department's report on the interim moratorium on tobacco paraphernalia stores. At Wednesday's Budget and Finance Committee, there will be a hearing on an ordinance revising the Board of Appeals surcharge on permit fees for retail tobacco outlets.

Mayor Newsom Kicks Off SFGH Bond Initiative

On Tuesday, May 13, Mayor Gavin Newsom, flanked by SFGH CEO Gene O'Connell, Commissioners Jim Illig and Edward Chow, MD, and a number of representatives from the Trauma and Medical staff, gathered on the grounds of SFGH to announce the introduction of the SFGH bond initiative. The Department of Public Health is proposing an \$887.4 million general obligation bond measure on the November ballot in order to build a new, seismically safe SFGH.

Norovirus Outbreak at Moscone Conference Center

On Wednesday, May 7, the Moscone Conference Center staff contacted the Department of Public Health Environmental Health Section to report that a number of Moscone Center employees were reporting symptoms consistent with Norovirus. Over the next three days, DPH staff from Environmental Health and Communicable Disease Control & Prevention worked with staff from the Conference Center, advising them on effective cleaning and sanitizing practices and developing a flyer to alert those attending the conference that a suspected Norovirus was present and how to prevent its spread. We kept the Mayor's office informed as the event evolved, posted information on our website at <http://sfcdcp.org/norovirus.cfm> and worked with the 3-1-1 call system to provide information to the concerned public. Approximately 70 individuals were reported to have caught the virus. This infection generally lasts for 24-48 hours and most people recover quickly. The diagnosis of Norovirus was confirmed by our Public Health Laboratory.

New Affordable House Site Opens May 22

The Grand Opening Celebration for Parkview Terrace, 871 Turk St. @ Gough St is on May 22, 11 a.m. – 2 p.m. Parkview Terrace Apartments is a new affordable housing site with 100 one-bedroom and studio units designated for seniors who are 55 years and older.

SFGH Goes Smoke Free

On July 1, 2008, San Francisco General Hospital will become a smoke free campus. Patients, visitors and staff will not be permitted to smoke inside hospital buildings, parking lots or gardens. To promote positive health behaviors and accountability for patients, SFGH will continue to provide free smoking cessation groups and nicotine replacement therapy for patients who smoke. Staff will determine and document patient smoking status in all inpatient units. Upon admission, patients will sign an agreement to refrain from smoking while at SFGH and patients will no longer be allowed to leave the unit to smoke. Over the next two months, the Smoke Free Campus Task Force will be educating staff, preparing smoking cessation literature, providing smoking cessation resources and advertising the implementation of our new policy. We look forward to taking a leadership role in promoting positive health changes in the lives of San Franciscans.

Ban on Tobacco Products in Pharmacies Gaining National Attention

As the Commissioners will recall, Mayor Newsom has proposed a ban on pharmacies in San Francisco selling tobacco products. We are seeing a national trend among some retailers such as Target who have eliminated all tobacco sales and a number of states also have proposals to eliminate tobacco sales in pharmacies with walk-in clinics. This trend is a very positive one for public health. If the Board of Supervisors passes Mayor Newsom's initiative, the ordinance would take effect on October 1.

STD Awareness Month

As reported in last month's Director's Report, April was STD Awareness Month, providing the STD Prevention and Control Section an opportunity to roll out myriad community-based activities to highlight the importance of getting tested for STDs. Using the current "Dogs are Talking" campaign theme, events included an outreach walk by the Sisters of Perpetual Indulgence, STD screening featuring radio and video personalities, distribution of reusable "Dogs are Talking" tote bags, a special appearance on Channel 2 morning TV, poster contests, specialty "Dogs are Talking" napkins in bars and posters displayed throughout the Castro and South of Market reinforcing STD testing and awareness. City Entertainment, an adult bookstore, and Blow Buddies, a popular club in the Castro, issued stamps on receipts and cards reminding clients to get tested for STD's every 3-6 months. Rates of early syphilis are continuing to increase. For the first quarter of 2008, 75 P&S cases were reported compared to 47 cases during the same time period last year, an increase of 60%.

Hep B Free

The Hep B Free campaign is one of the City's most successful, far-reaching efforts. Last week was designated Asian Heritage Week, featuring a number of events, with a focus on SF Hep B Free.

- The San Francisco Hep B Free campaign added the SF Giants to their long list of partners. The week of May 12 was designated Asian Heritage Week www.sfhepbfree.org. Giants' fans were able to purchase special tickets to Saturday's White Sox game, with \$9 from each ticket going to the Hep B Free campaign.
- Also on Saturday the 4th Annual Asian Heritage Street Celebration in Japantown featured free hepatitis B screening.

- The May 13th edition of the San Francisco Chronicle featured an excellent Open Forum piece by Assemblywoman Fiona Ma entitled, “Killers Among Us, Help San Francisco Be Hep B Free Now.”
- Alan Wang, a reporter for Channel 7, produced a special feature on Hep B that ran on Monday during the 7 p.m. news segment. Mr. Wang and all of his siblings have Hep B.

We are grateful to Ted Fang for his leadership role in our goal to make San Francisco the first Hep B free city in the nation.

EPA Grant

The U.S. Environmental Protection Agency (EPA) Water Security Initiative has agreed to fund a proposal submitted by Environmental Health's Program on Health, Equity and Sustainability in collaboration with SFPUC's Water Quality Division. Public Health is one of five components of this three-year multi-million dollar initiative. Under the grant, staff will analyze health-related data that will allow us to respond to illness caused from contamination in drinking water. An equally important aspect of the program will give us and our public health partners the ability to coordinate resources when responding to local and regional water contamination incidents.

New Deputy Director of HIV Prevention

Dr. Katz announced that Tracey Packer has accepted the position of Deputy Director of the HIV Prevention Section. Tracey has worked at the AIDS Office for 16 years. As a trained Health Educator, she brings a wealth of knowledge and experience to the position, including her work as the government co-chair on the HIV Prevention Planning Council. Tracey served as Interim Director of HIV Prevention when the position was vacated by Commissioner Tierney, a "temporary" assignment she held for nearly two years prior to the appointment of Grant Colfax, MD.

Benefit for Shape Up SF Yields \$5500

The Shape Up SF Benefit at the Cheryl Burke Dance Studio on April 5th raised \$5,500. Dancing with the Stars instructor Cheryl Burke and her partner Cristian de la Fuente were there as were numerous other notables including Jerry Rice, Drew Lachey and Tom Bergeron.

Barbara Garcia Granted Honorary Leadership Degree

The California Institute of Integral Studies (CIIS) will award Barbara A. Garcia with an Honorary Degree in Innovative Leadership and Service to the Community at its May 20, 2008 Commencement at the Palace of Fine Arts. Barbara serves on the President's Advisory Council at CIIS and has helped shape the new Counseling Psychology Program in Community Mental Health which CIIS will launch in Fall 2008.

Community Health Network, SFGHTC Credentials Report, May 2008

	05/08	7/07 to 05/08
New Appointments	5	181
Reinstatements	0	0
Reappointments	48	512
Delinquencies:	0	0
Reappointment Denials:	0	0
Resigned/Retired:	12	147

Disciplinary Actions	0	0
Restriction/Limitation-Privileges	0	0
Deceased	0	2
Changes in Privileges		
Additions	4	84
Voluntary Relinquishments	4	43
Proctorship Completed	8	91
Proctorship Extension	0	0
Current Statistics – as of 05/01/08		
Active Staff	502	
Courtesy Staff	540	
Affiliate Professionals (non-physicians)	221	
TOTAL MEMBERS	1,263	
Applications In Process	68	
Applications Withdrawn Month of May 2008	0	3 (07/07 to 04/08)
SFGH Reappointments in Process 05/2008 to 08/2008	178	

LHH Credentials Year-to-Date Report, 7/1/2007 to 04/30/2008

New Appointments	4
Reinstatements	0
Withdrawal	0
Reappointments	40
Delinquencies:	0
Reappointment Denials:	0
Resigned/Retired	4
Disciplinary Actions	0
Restriction/Limitation of Privileges	0
Changes in Privileges	0
Additions	0
Voluntary Relinquishments	0

5) **EMS ANNUAL AWARDS**

TIME CERTAIN: 4:00 P.M.

President Illig presented the 2008 EMS Awards.

EMS FIELD PROVIDER AWARD

Jeany Duncan, EMT-P, SFFD

Larry J. Bradshaw, EMT-P, SFFD

EMS HOSPITAL PROVIDER AWARD

Sharon Kennedy, RN, BSN, San Francisco General Hospital

EMS COMMUNITY SERVICES AWARD

Kathy Dalle-Molle, San Francisco State University

EMS DISPATCHER AWARD

Diane G. Paulsen, Dept. of Emergency Management

RAYMOND LIM EXCELLENCE IN EMS AWARD

Assistant Deputy Chief Robert Navarro, ret'd, EMT-P, SFFD

EMS SPECIAL RECOGNITION AWARD

Jonny Frank, EMT-P, SFFD

Commissioner Illig welcomed Chief Joanne Hayes-White of the San Francisco Fire Department, who congratulated all the winners.

6) **APPROVAL OF A REVENUE SUPPLEMENTAL APPROPRIATION FOR FY 2007-2008**

Gregg Sass, Chief Financial Officer, presented a proposed \$16.9 million revenue supplemental appropriation for FY 2007-2008. The supplemental is fully funded with revenues and other savings within the Department of Health, and no additional General Fund appropriation is required.

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) approved the Revenue Supplemental Appropriation for FY 2007-2008.

7) **APPROVAL OF FY 2008-2009 PATIENT RATES AND OTHER FEES**

Gregg Sass, Chief Financial Officer, presented proposed increases to patient rates and several fee ordinances that are scheduled for submission to the Board of Supervisors for FY 2008-2009. At its May 6th meeting, the Finance Committee of the Health Commission recommended approval of increases to patient rates. In addition the City Attorney advises that other fee ordinances for Public Health and increase and/or establish new fees also require Health Commission approval.

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) approved the FY 2008-2009 Patient Rates and Other Fees.

8) **CONSIDERATION OF A RESOLUTION SUPPORTING A SODA FREE SUMMER**

Christina Carpenter, Community Health Promotion and Prevention, presented the Soda Free Summer Resolution. To raise awareness and empower young people and families to reduce or eliminate products full of sugar and high fructose corn syrup, the Bay Area Nutrition and Physical Activity Collaborative (BANPAC) is launching a regional "Soda Free Summer" campaign in 2008. The regional campaign is being coordinated by SF DPH staff. This campaign is in keeping with the

Shape Up San Francisco Initiative. Mayor Gavin Newsom has issued a proclamation declaring June – August 2008 Soda Free Summer and the Board of Supervisors adopted a resolution. Additionally the Board of Education will introduce a resolution at their respective sites.

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) approved Resolution 11-08 “Proclaiming June, July and August of 2008 as “Soda Free Summer” in san Francisco City and County,” (Attachment A).

9) **CHILDHOOD UNINTENTIONAL INJURY PREVENTION PROGRAM UPDATE AND A RESOLUTION ENDORSING THE PROGRAM**

Michael Radetsky, Community Health Promotion and Prevention, presented an update on the Childhood Unintentional Injury Prevention Program. CHPP has received funding from the California Kids’ Plate Program, a statewide fund supported by license plate purchase, to support a three-year effort to coordinate and enhance DPH’s childhood injury prevention efforts. Injury is the leading cause of death for children and disproportionately affects low-income and minority children. Prevention efforts have been narrowly focused and not well coordinated. CHPP is calling on all divisions and unites of DPH to collaborate to improve the safety of all children in San Francisco, and is seeking the Health Commission’s support in this effort by endorsing, via resolution, a DPH-wide collaboration in childhood unintentional injury prevention program.

Commissioners’ Comments

- Commissioner Melara asked if they have developed collaborations with other departments and the private sector. Mr. Radetsky said they work very closely with the MTA and the Department of Parking and Traffic as well as the Police Department. With a previous grant DPH was able to fund the Police Department to do additional traffic enforcement. They need to do further work around changing community norms about driving and traffic safety.

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) approved Resolution 12-08 “Endorsing a DPH-wide Collaboration in a Childhood Unintentional Injury Prevention Program” (Attachment B).

10) **UPDATE ON PROPOSITIONS 98 AND 99**

Jim Soos, Deputy Director, Office of Policy and Planning, updated the Commission on Propositions 98 and 99. Two competing ballot measures, Propositions 98 and 99 will appear on the June 3, 2008 California ballot. Both measures are California State Constitutional amendments designed to limit the power of State and local government in the use of eminent domain to condemn private property for use by private developers. Both are also in response to the 2005 U.S. Supreme Court decision, *Kelo v. City of New London*, in which the Court sided with the City of New London against a homeowner who was being forced from her home under Connecticut’s eminent domain law to make way for a private development that would increase tax revenue for the city. The Court didn't endorse the condemnation; it only said that Connecticut can enforce its eminent domain laws without federal interference. Propositions 98 and 99 also come on the heels of the 52 percent to 48 percent defeat of Proposition 90 in November 2006, which also would have curbed government’s ability to use eminent domain as well as a host of other regulations on real estate use including zoning and subdivision limits, among others.

Proposition 98 is the Howard Jarvis Taxpayer Association sponsored “California Property Owners and Farmland Protection Act.” Proposition 99 is the League of California Cities and League of California Homeowners sponsored “Homeowners and Private Property Protection Act.”

Commissioner Illig said the Commission is prohibited from taking positions on ballot measures so this is an informational item only.

11) FY 2008-2009 BUDGET UPDATE

Secretary’s Note - This item was called as the first order of business at 3:00 p.m.

Gregg Sass, Chief Financial Officer, gave an overview of the additional cuts that were presented to the Mayor’s Office. On May 7, the Mayor’s Budget Office notified City Departments that the budget remained unbalanced and set additional general fund reduction targets. The Health Department was asked to reduce use of general fund by an additional \$16 million. A reduction plan was (Secretary’s Note: The budget update and list of reductions is available on the Health Department website at <http://www.sfdph.org/dph/comupg/aboutdph/insideDept/budget/default.asp>)

Public Comment

Peter Morris, DEAP Program, spoke against eliminating the DEAP program, which is a revenue producing program for the City and County of San Francisco.

Mark Espinosa, Executive Director of Native American Health Center, said the cuts would be devastating to his agency.

Dennis Manuelito, Director of HIV Services at Native American Health Center, spoke against the budget cuts.

David Knego, Executive Director of Curry Senior Center, spoke against the cuts, particularly in the area of primary care.

Teri McGinnis, Deputy Executive Director of Lyon Martin Women’s Services said they were not informed directly of the cuts. Primary care is a critical part of Healthy San Francisco and cutting funds will mean that 250 people will not have a medical home.

Dick Hodgson, San Francisco Community Clinic Consortium, spoke against cuts to community clinics, which are a critical part of Healthy San Francisco.

Fernando Gomez-Benitez, Mission Neighborhood Health Center, spoke against cuts to primary care as well as cuts to HIV services.

Daren Robertson spoke against cuts to the STOP program.

Randolph Vanderford spoke against cuts to the STOP program. This is a truly unique program.

Mike Wonders spoke against cuts to complementary services.

Carla Wilson, Quan Yin Healing Arts Center, spoke against eliminating the entire complementary therapies service category. If this is eliminated there will be no access to care.

Dr. Ricardo Alvarez, Director of HIV Services and Homeless Services at Mission Neighborhood Health Center, spoke in support of MNHC’s HIV outreach program and acupuncture services, which are both up for complete elimination. No categorical cuts.

Denis Beaulne spoke against cuts to Quan Yin, Project Open Hand and other services.

Don Soto, Lutheran Social Services of Northern California, spoke against defunding supportive services, specifically money management. This service is a key to people maintaining housing.

Max Haptonstahl, Director of Mobile Assistance Patrol, spoke against cuts to Community Programs and described the impact of the cuts to MAP.

Bill Hirsch, AIDS Legal Referral Panel, said the elimination of all funding would mean a quarter of their budget would disappear overnight. There will be nowhere for the people who need services most to go.

Jeff Wilcox, Board of Directors, AIDS Legal Referral Panel, urged the Commission to reject eliminating legal services from the budget.

Laura Thomas, co-chair of the HIV Health Services Planning Council, said the cuts move the city in a direction that are not consistent with federal legislation and do not reflect the Planning Council's prioritization. She spoke in support of complementary care.

Ann Harrison, Executive Director of New Leaf Services, spoke against cuts to community programs.

Hank Wilson spoke in support as complementary services, which for some of the 800 people they serve is core care. Don't eliminate the category.

Michael Siever, co-chair, Mayor's Task Force on Crystal Meth, said the cuts are appalling. The cuts will be devastating to methamphetamine services. This eliminates any possibility of treatment on demand.

Eve Meyer, San Francisco Suicide Prevention, spoke against the destruction of community based mental health care.

Brett Andrews, Executive Director of Positive Resource Center, spoke against eliminating benefits counseling, and urged the Commission to have robust discussions with the Mayor's Office around these cuts.

President Illig called for a break in Public Testimony for the 4:00 p.m. Time Certain

Sherilyn Adams, Larkin Street Youth Services and co-chair of the Human Services Network, said the cuts will significantly impact their services for youth. Further, the cuts will be devastating to community services and will increase costs to emergency services.

Jimmy Loyce, Executive Director, Black Coalition on AIDS, said the cuts will result in a \$125,000 cut because of the second round of cuts that are moving forward. He is losing case management and relief workers who are critical to providing services.

Nancy Rubin, CEO, Edgewood Center for Children and Families, said the cuts are difficult and incomprehensible. DPH had agreed to pay the fees, but now the fees are eliminated in this round of cuts. The Health Commission needs to stand with the community.

Ignacio Palomaria, client of STOP outpatient program, spoke against cuts to the program. Clients will go back to the streets.

Valerie Gruber, Ph.D., spoke against the cuts to public health and the elimination of the STOP program.

Jon Kessler, client of STOP, spoke against the elimination of these critical services.

Jonathan Vernick, Executive Director, Baker Places, said the cuts to Baker Places are approximately \$900,000, which is greater to what is shown on the Commission's document. They are faced with cutting a unique detox program. Please help fight these cuts.

Mary Kate Connor, Executive Director, Caduceus Outreach Services, said they were on the verge of closing last year and, at the request of the community, were awarded money by the City. The budget cut they heard on Friday is their entire budget. These cuts will cost the city.

Dr. John Neinow, Medical Director of Haight Ashbury Free Clinics, spoke against the cuts to primary care, which is the lynchpin to a cost effective, sensible health care system.

Human Nature, client of STOP, spoke against cutting this unique, compassionate recovery program. There is no place for addicts to go.

Jonathan Van Nuys, client at Quan Yin, spoke in support of their services. It is a place of healing and refuge and is vital to his health care.

Commissioners' Comments

- Commissioner Illig said that these cuts were a surprise to the Health Commission and Commissioners will join the community in protesting these cuts to the Mayor and Board of Supervisors.
- Commissioner Tierney asked if using MHSA funding to backfill cuts to AB 2034 is allowed by the State. Mr. Sass said that this seems to be the only exception to the non-supplantation rule, and counties around the state have worked closely with the State on this issue. Commissioner Tierney said the Commission should condemn these cuts. The City is rightfully setting up offices to do greening and other initiatives can afford to hold off on these initiatives rather than devastating mental health, substance abuse, primary care and other services. The Mayor's Office and Board of Supervisors needs to prioritize services to the most vulnerable populations.
- Commissioner Melara said the Commission's role is to work with elected officials to find way to bring the money back to the Department. She does not want to be in an adversarial position. She wants the Commission to be on the same page as staff. If we do anything for the next agenda she wants it to reflect working with the Mayor and Board of Supervisors.
- Commissioner Waters asked staff to attached a memo to the additional budget cuts that detail the impacts the cuts will have on the public so that when the Mayor looks at the numbers it reflects the true impacts. This is a positive way of expressing concern about the cuts.
- Commissioner Sako wants to add a commitment to next year's budget to not go through this next year. It is incumbent upon the Commission to ensure that there are not three different requests for cuts from the Mayor's Office and that cuts are not sent to the Mayor's Office without the Commission's approval. This process is unacceptable.
- Commissioner Chow said that all departments are given proportional cuts as if all services are the same, that a nurse is the same as a gardener. There is no prioritization of services across the city. Someone at the leadership level must decide what the priorities are. So beyond what the Health Commission can do, it is a matter of what the City's leadership can do. Set asides are the wrong way to do business. He supports demonstrating the impact of

these cuts to the Mayor's Office, to put meaning behind the cuts. Perhaps the Department is out of mitigations at this point, but he would like staff to provide information if there are mitigating factors to some of the cuts. Unless the City's legislative leadership prioritizes the provision of health services to vulnerable populations, it does not matter what steps the Commission takes to make this a rational process. Dr. Katz said the Health Department is now at a \$60 million cut in general fund. You cannot cut \$60 million of health services specifically directed at the uninsured and the underinsured and not expect any harm. The principles that remain are no cuts to primary prevention and housing. This has certainly been the worst budget year. This is the first budget where the instructions got worse and this leads to a chaotic process. In this last round the Health Department had to provide \$16 million in cuts to the Mayor's Office in a 48-hour period. Citywide prioritization is difficult, particularly in light of voter mandates. Nobody takes pleasure in any of these cuts and everybody is looking at solutions for how to avoid it.

- Commissioner Illig asked if there is any way of knowing which department submitted cuts and which did not. Dr. Katz said that it was very clear that certain departments had not complied with the instructions and the Health Department had. The Mayor's Office made it clear that they do not need Departments' help to make these cuts; the Mayor's Office can make the cuts for them. Commissioner Illig asked if the Mayor's Office was going to ask for the additional \$5 million to reach the \$16 million target. Dr. Katz said they may, but reiterated that the Mayor's Office has not allocated \$7 million of the Health Department's structural budget request. Commissioner Illig asked how the Mayor is allowed to ask departments for additional cuts when the Administrative Code says Commissions approve the submission of the budget. Dr. Katz said that it is likely that this falls under the responsibility of the executive branch and the charter requirement that the executive must balance the budget.
- Commissioner Illig said we need to communicate our frustration to the Mayor so that next year we are not in the same situation. He would much rather have the Department have an accounting problem instead of closing a program and putting people out on the streets. If the Department overspends then positions are frozen, and this gets at the heart of the problem, which is the labor costs. Commissioner Illig said the City Attorney is going to prepare an opinion on what the maintenance of effort requirement means.
- Commissioner Tierney said the Commission should draw a line in the sand and take a position that supports services to the most vulnerable populations, and that we do have to take different action to make these budget cuts.
- Commissioner Illig asked that the new Planning Committee put on its agenda a letter to the Mayor's Office regarding the proposed cuts. Commissioner Tierney will take the first stab in drafting this letter, which will be publicly discussed next Tuesday at 2:00 p.m.

12) CLOSED SESSION

A) Public comments on all matters pertaining to the closed session

None.

B) Vote on whether to hold a closed session

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) voted to hold a closed session.

The Commission went into closed session at 6:00 p.m. Present in closed session were Commissioner Chow, Commissioner Illig, Commissioner Melara, Commissioner Tierney and Commissioner Waters.

- C) Closed session pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b)

**PUBLIC EMPLOYEES PERFORMANCE EVALUATIONS:
MITCHELL H. KATZ, M.D, DIRECTOR OF HEALTH**

**EXECUTIVE SECRETARY TO THE HEALTH
COMMISSION, MICHELE M. SEATON**

- D) Reconvene in Open Session

The Commission reconvened in open session at 6:25 p.m.

- 1) Possible Report on Action Taken in Closed Session (Government Code Section 54957.1(a)2 and San Francisco Administrative Code Section 67.12(b)(2).)
- 2) Vote to Elect Whether to Disclose Any or All Discussions Held in Closed Session (San Francisco Administrative Code Section 67.12(a).) (Action Item)

Action Taken: The Commission (Chow, Illig, Melara, Sako, Tierney, Waters) voted not to disclose any discussions held in closed session.

13) OTHER BUSINESS

None.

**14) COMMISSIONER REPORTS/ANNOUNCEMENTS/JOINT CONFERENCE
COMMITTEE REPORTS**

None.

15) ADJOURNMENT

The meeting was adjourned at 6:30 p.m.

Michele M. Seaton
Health Commission Executive Secretary

Attachment: (1)