

**THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Board of Health**

**Meeting No. 6**

**Tuesday, April 21, 1998.**

The Board of Health met on Tuesday, April 21, 1998, in Committee Room C, 2nd Floor, Metro Hall, Toronto, commencing at 4:00 p.m.

**Members Present:**

Councillor John Filion, Chair  
Councillor Anne Johnston  
Councillor Irene Jones  
Councillor Joan King  
Councillor Joe Mihevc  
Councillor Michael Prue  
Robert Davies  
Dr. Rosana Pellizzari  
Elca Rennick

**Observers:**

Trustee Elizabeth Hill, Toronto District School Board  
Trustee Gerri Gershin, Toronto District School Board

Councillor Filion declared a conflict with respect to Minute No. 72 and indicated the nature of his conflict was that he held the position of Chair of the Board of Health

**Confirmation of Minutes**

The Board approved the Minutes of the meeting of the Board of Health held on March 24, 1998, and noted that representatives for the School Board were in attendance at that meeting.

**Business arising from last meeting**

None

**63. Environmental Tobacco Smoke Bylaws in the New City of Toronto**

The Board had before it a report (April 8, 1998) from the Medical Officer of Health recommending that:

- (1) The Medical Officer of Health consult with stakeholders regarding the components of a uniform Environmental Tobacco Smoke by-law and strategies to achieve the goal of 100% smoke-free public places; and
- (2) the Medical Officer of Health report back to the Board of Health by the Fall of 1998 on the outcome of stakeholder consultations and, in consultation with the City Solicitor, make recommendations for a uniform by-law and clear timelines to achieve the goal of 100% smoke-free public places.

The Board also had before it:

- (1) a report (February 13, 1998) from the City Clerk forwarding action taken at Council's meeting on February 4, 5 and 6, 1998 whereby it referred the following motion of Councillor Shiner to the Board of Health:

Therefore Be It Resolved That:

- (1) The City of Toronto Council support a harmonized smoke-free by-law for the entire City which is protective of health;
  - (2) this motion and the material from the Ontario Campaign for Action on Tobacco and the Ontario Medical Association's report entitled "Second Hand Smoke and Indoor Air Quality", which is on file in the Clerk's Department, be referred to the Toronto Board of Health for their recommendations; and
  - (3) Public Hearings are held by the Board of Health to receive public input on the phasing-in of such a by-law;
- (2) a communication (March 4, 1998) from Lisa Jordan, Manager of Government Affairs, Ontario Restaurant Association requesting the development of a workable and attainable harmonized smoking control bylaw for Toronto's foodservice and hospitality establishments;
- (3) a communication (January 26, 1998) from the Toronto-Sunnybrook Regional Cancer Centre requesting the opportunity to give a five minute presentation to this meeting of the Board of Health, the purpose of which is to present their concerns about second-hand smoke in Toronto and urge the Board of Health to encourage Toronto City Council to adopt a strong smoking tobacco by-law;

Board of Health Minutes  
Tuesday, April 21, 1998.

---

- (4) a communication (April 20, 1998) from Michael Perley, Director, Ontario Campaign for Action on Tobacco requesting support for a harmonized smoke-free by-law for the City of Toronto which is most protective of public health; and
- (5) a communication (April 20, 1998) from Dr. Pam Chart, Medical Director, Preventative Oncology Program and Dr. Yee Ung, Lung Site Group Leader, Toronto-Sunnybrook Regional Cancer Centre and Ms. Fran Walsh, Regional Director, Metro Toronto, Canadian Cancer Society.

On motion by Councillor King, the Board agreed to re-open consideration of this matter.

On motion by Councillor Prue, the Board:

- 1. Requested the Medical Officer of Health to consult with stakeholders regarding the components of a uniform Environmental Tobacco Smoke by-law and strategies to achieve the goal of 100% smoke-free public places;
- 2. requested the Medical Officer of Health to report back to the Board of Health by the Fall of 1998 on the outcome of stakeholder consultations and, in consultation with the City Solicitor, make recommendations for a uniform by-law and clear timelines to achieve the goal of 100% smoke-free public places;
- 3. received the report (February 13, 1998) from the City Clerk which forwarded action taken at Council's meeting on February 4, 5 and 6, 1998 in which it referred a motion placed by of Councillor Shiner respecting the phasing in of a smoke-free by-law for the City of Toronto.

Councillor Johnston moved "that the Board's action in this respect be forwarded to City Council for information and additional recommendations that it may wish to make".

Councillor Prue moved "that Councillor Johnston's motion be amended by deleting all the words after "City Council".

Councillor Filion moved “that Councillor Johnston’s motion be further amended by substituting the words “City Council” with the words “Members of Council”.

The foregoing motions of Councillor Filion, Councillor Prue and Councillor Johnston, as amended, were voted on and carried, so as to read “that the Board’s action in this respect be forwarded to Members of Council”.

Dr. Rosana Pellizzari moved that the Board “request the City Solicitor to report to the Board on the potential for liability that the City could face if an employee of a City of Toronto bar/restaurant developed lung cancer”, which was voted on but lost.

During the course of discussions it was suggested that, as part of the consultation process, and prior to a draft by-law being presented to the Board, that consideration be given to holding public forums in each former municipality chaired by the appropriate Board member.

#### **64. Smoking in Local Jails**

The Board had before it a report (April 6, 1998) from the Medical Officer of Health recommending that:

- (1) The Toronto Public Health staff continue to consult with representatives of the Ministry of the Solicitor General and Correctional Services, Ministry of Labour and employees of the four correctional facilities in the City of Toronto in the development of a smoke-free policy; and
- (2) the Public Health staff ensure the provision of smoking cessation resources for inmates and staff of correctional facilities.

The Board also had before it a communication (January 21, 1998) from Dan Fraser, Correctional Officer at Mimico Correction Complex requesting modification of current by-laws which do not cover government buildings respecting second-hand smoke.

The Board of Health adopted the report dated April 6, 1998 from the Medical Officer of Health.

#### **65. 1998 Budget Update**

The Board had before it a report from the Medical Officer of Health recommending that this report be received for information.

On motion by Councillor Jones, the Board received the report dated April 8, 1998 from the Medical Officer of Health for information.

Councillor King assumed the Chair.

**66. Committee/Sub-Committee Meetings**

The Board had before it a report (March 30, 1998) from the City Solicitor recommending that this report be received for information.

On motion by Councillor Prue, the Board of Health received this report for information.

**67. Pre-School speech and language services system plan**

The Board had before it a report (April 8, 1998) from the City Solicitor recommending that the City be authorized to enter into agreements with four community agencies for the provision of services described in the Provincial Preschool Speech and Language Services System Plan.

On motion by Councillor Prue, the Board of Health recommended the adoption of the report dated April 8, 1998 from the City Solicitor.

**(Report No. 7, Clause 2)**

**68. Corporate Smog Alert Response Plan**

The Board had before it a report (April 7, 1998) from the Medical Officer of Health recommending that:

- (1) The development of a corporate smog alert response plans be endorsed; and
- (2) this report be forwarded by the Board of Health to City Council for information.

The Board also had before it a report (April 14, 1998) from the City Clerk advising that the Environmental Task Force has endorsed the recommendations contained in the report (March 27, 1998) from the Medical Officer of Health.

On motion by Councillor King, the Board of Health endorsed the development of a Corporate Smog Alert Response Plan as outlined in the report dated April 7, 1998 from the Medical Officer of Health, noted the endorsement by the Environmental Task Force of this Plan and forwarded this report to City Council for information.

**(Report No. 7, Clause 1)**

**69. Child Nutrition Program: Benefits of Municipal Funding**

The Medical Officer of Health provided the Board with a verbal report on this matter.

**70. Child Nutrition Program: Partners in Funding**

The Medical Officer of Health provided the Board with a verbal report on this matter.

**71. Transition funds required to realize efficiency savings in the vaccine preventable diseases program**

The Board had before it a report (April 8, 1998) from the Medical Officer of Health recommending that:

- (1) The Board of Health adopt this report requesting transitional funding of \$711,505.00 necessary to realize the savings associated with the re-design and amalgamation of the Vaccine Preventable Diseases Program; and
- (2) the Board of Health forward this report and its recommendations to the Budget Committee for consideration.

On motion by Robert Davies, the Board of Health adopted the report dated April 8, 1998 from the Medical Officer of Health and forwarded the report and its recommendations to the Budget Committee for consideration.

The Board also requested the Medical Officer to Health to provide Robert Davies with more information regarding the hardware standards for the laptop computer purchases.

**72. Draft Procedural By-law**

The Board of Health had before it a draft Procedural By-law for the governance of its meetings:

The Board also had before it the following:

- a report (March 9, 1998) from the City Clerk reporting, as requested, on the various Procedural By-laws used by the City's Agencies, Boards and Commissions and requesting that the report be received for information; and
  - a report (April 8, 1998) from the City Solicitor recommending that:
    - (1) The Minister of Health be requested to fix the rate of remuneration for the Board of Health for the City of Toronto Health Unit;
    - (2) non-elected members of the Board be remunerated for attendance at Board meetings, Board Subcommittee meetings or attendance at meetings as official representatives of the Board which are authorized by the Board;
    - (3) if the Chair of the Board of Health is a member of Council that
      - (a) remuneration be paid to the Chair
- OR
- (b) remuneration not be paid to the Chair; and
  - (4) the expenses of non-elected Board members be paid in accordance with the City of Toronto's Expense Claim Policy.

On motion by Councillor King, the Board of Health:

1. Deferred Section 40 of the Draft Procedural By-law for the Board of Health for consideration at its next meeting.

On motion by Councillor Prue, the Board:

- (a) Amended Section 3 by deleting the words “the Standing Rules of the Legislative Assembly of Ontario” and substituting the words “Roberts’ Rules of Order”, so as to read:

“3. In all unprovided cases in the proceedings of the Board, the matter shall be decided by the Chair, where applicable, and with necessary modifications, in accordance with Roberts’ Rules of Order.”

- (b) Amended Section 16(4) by deleting the words “shall not be limited” and substituting the words “shall be limited to two”, so as to read:

“(4) The number of times of speaking on any question shall be limited to two”.

On motion by Councillor Mihevc, the Board:

- (c) Added the following additional subsection (7) to Section 16:

“(7) That all non-procedural votes be recorded upon request”

On motion by Councillor King, the Board:

- (d) Amended the appropriate Section to indicate that only one main motion and amendments thereto may be on the floor;



Board of Health Minutes  
Tuesday, April 21, 1998.

---

On motion by Councillor Prue, the Board:

- (e) Amended Subsection (2) of Section 26 by deleting the words “including an in camera meeting”, so as to read:

“26 (2) “A Member of Council may attend any meeting of the Board and any sub-committee meeting.”

- (f) Deleted Section 29 which reads:

“29. A member of Council attending any meeting of the Board of which he or she is not a Member, shall be accorded all the same rights and privileges of a Member of the Board, except for the right to present motions, or to vote.”

The foregoing motion carried on the following division of votes:

For: Councillor Jones  
Councillor Prue  
Robert Davies  
Elca Rennick  
Dr. Rosana Pellizzari  
Councillor Mihevc  
Councillor Johnston  
Councillor Fillion

Oppose: Councillor King

- (g) Amended Section 37 by deleting the words “a majority” and substituting the words “two-thirds”, so as to read:

“37. Any matter in respect of which notice has not been given to the members of the Board prior to the beginning of a meeting thereof, shall not be considered by the Board unless the Board decides by a two-thirds vote to consider such matter.”

and adopted the Procedural By-law as amended.

On motion by Councillor King, the Board:

2. Requested the Minister of Health to fix the rate of remuneration for the Board of Health for the City of Toronto Health Unit;
3. directed that non-elected members of the Board be remunerated for attendance at Board meetings, Board Subcommittee meetings or attendance at meetings as official representatives of the Board which are authorized by the Board;
4. directed that, if the Chair of the Board of Health is a member of Council, that remuneration not be paid to the Chair; and
5. directed that the expenses of non-elected Board members be paid in accordance with the City of Toronto's Expense Claim Policy.

Councillor Filion resumed the chair.

### **73. Report of the Task Force on Health and Work**

The Board had before it a report (October 6, 1997) from the Assistant City Clerk, former City of Toronto forwarding action taken by the Council of the former City of Toronto at its meeting on September 22 and 23, 1997, whereby it:

- (1) Adopted the Report of the Task Force on Health and Work;
- (2) recommended that the new City of Toronto and the Board of Health for the new City of Toronto adopt the Report of the Task Force on Health and Work; and
- (3) forwarded the Report of the Task Force on Health and Work to the appropriate federal and provincial agencies and authorities concerned with this matter.

Peter Tabuns, Task Force on Health and Work, gave a presentation on the Task Force's findings.

On motion by Councillor King, the Board deferred consideration of the Report of the Task Force on Health and Work and requested the Chief Administrative Officer, the Commissioner of Human Resources and the Medical Officer of Health to review the Task Force's recommendations and report back to the Board on their implications as soon as it is feasible.

Dr. Rosana Pellizzari moved "that the Medical Officer of Health report back to the Board on the ratio of temporary versus permanent staff in the Public Health Department and referred to the letter dated September 8, 1997 from Denis Casey, Acting President of CUPE Local 79 addressed to the Chair of the Board of Health of the former City of Toronto", but this was not voted upon.

#### **74. Organization Design of the Public Health Division**

John Douey, Corporate Services, gave a presentation on the proposed organizational design of the Public Health Division and it was noted that a report on this matter would be forthcoming to future meeting of the Board.

#### **75. Proposed future meetings of the Board of Health**

The Board had before it a listing of proposed Board of Health meeting dates and agenda closings and distribution

The Board also had before it a list of proposed Board of Health meeting dates from Councillor Joan King.

The Board of Health decided to schedule its next meeting on May 12, 1998 beginning at 10.00 a.m. and deferred consideration of the proposed dates for the remainder of the year to its next meeting for further consideration.

**76. Report of the Sub-Committee to review former Boards of Health Sub-Committees**

The Board had before it a report (April 14, 1998) from the Administrator, Sub-Committee to Review Former Boards of Health Committees recommending that:

- (1) A Sub-Committee consisting of members of the Board of Health with staff resources be established with a mandate to develop a process for planning and setting the 1999 Public Health Operating Budget, and that the Sub-Committee report back to the Board with its recommendations;
- (2) the Chair, together with appropriate staff, begin to plan for a Strategic Planning Session of the Board and report back on proposals and expected accomplishments of the session;
- (3) consideration of establishing permanent committees of the Board, be deferred until such time that the Board has undergone the strategic planning session referred to above;
- (4)
  - (a) staff be requested to review the proposal to establish four Advisory Committees and report further addressing the following issues:
    - purpose of each committee:
      - e.g.: mandate;
      - Terms of Reference;
      - composition - board members/citizen members/staff members
      - identification of need;
    - expected outcomes of each committee;
    - is there duplication or overlap of its mandate in other City of Toronto ABCs; and
    - is it an internal or external committee, and its connection to the Board of Health;
  - (b) with respect to the proposed Animal Services Advisory Committee, that staff report to the Board on whether appeals relating to muzzling dogs conducted in some former municipalities could be heard by this Advisory Committee instead of by the Board of Health; and

- (5) the Board of Health recommend to the Special Committee to Review the Final Report of the Toronto Transition Team that the present composition of the Board of Health of 10 members (seven City Councillors and three citizen members) be retained for 1998, and that the Board advise that Committee that it will report back by September 1998 with recommendations on the citizen component of the Board of Health and selection process for appointment of citizen members to the Board by Council in 1999.

The Board also had before it the following:

- (1) a report (April 3, 1998) from the City Clerk advising that the Special Committee to Review the Final Report of the Toronto Transition Team on April 3, 1998:
- (1) referred the communication (February 16, 1998) from Councillor Chris Korwin-Kuczynski, High Park, to the Board of Health with a recommendation that the Board of Health establish a Sub-Committee to deal with the issue of substance abuse;
  - (2) requested the Board of Health to include Citizen members on the proposed Sub-Committee; and
  - (3) requested the Board of Health to advise Councillor Chris Korwin-Kuczynski, High Park, when he may address the Board of Health with respect to this issue.
- (2) a communication (April 20, 1998) from Rita Luty, Chairperson, Northern Community Health Board of the former City of Toronto recommending that:
- six Community Advisory Committees be established, one representing each former municipality;
  - the Terms of Reference from the former Toronto model be used as the foundation for the development of new Terms of Reference for Community Advisory Committees; and
  - a representative from each Community Advisory Committee have membership on the Board of Health.
- (3) a report (April 20, 1998) from Councillor McConnell recommending including the Committee on Substance Abuse.

The Board of Health deferred consideration of the report dated April 14, 1998 from the Administrator of the Sub-Committee to Review Former Boards of Health Committees and related material to its next meeting.

**77. Board of Health Nominations to District Health Council**

The Board of Health deferred consideration of this matter to its next meeting on May 12, 1998.

**New Business**

**78. Cuts to pregnancy allowance**

On motion by Councillor Jones, with respect to the recent announcement that the Provincial Government would be cutting the \$37 pregnancy allowance, the Board of Health requested that a letter to be sent to the Premier of Ontario, copied to the Minister of Health and the Minister of Social Services, expressing the Board's strong concern about the Provincial Government's recent decision to cut the \$37 pregnancy allowance for nutrition for pregnant women, and request that this decision be immediately reversed.

The Board adjourned its meeting at 7:00 p.m.

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Chair.