

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of Board of Health**

**Meeting 4**

**May 15, 2006**

The Board of Health met on Monday, May 15, 2006 in Committee Room 1, 2<sup>nd</sup> Floor, City Hall, Toronto, commencing at 1:10 p.m.

Attendance

Members were present for some or all of the time periods indicated.

	1:10 p.m. to 3:55 p.m.
Councillor John Filion, Chair	X
Trustee Sheila Cary-Meagher	X
Cathy Crowe	X
Councillor Janet Davis	X
Councillor Glenn De Baeremaeker	X
Councillor Paula Fletcher, Vice-Chair	X
Nathan Gilbert	
Brian Hyndman	X
Councillor Joe Mihevc	X
Fiona Nelson	X
Rhonda Roffey	X
Martin Silva	X
Valerie Sterling	X

**Confirmation of Minutes**

On motion by Valerie Sterling, the Minutes of the meeting of the Board of Health on April 10, 2006 were confirmed.

**Chair/MOH Announcements:**

**Councillor Filion, Chair, Board of Health, advised that May 31, 2006 is the implementation date of the Smoke-Free Ontario Act. As a result, smoking will be prohibited in all enclosed workplaces and enclosed public places across Ontario. The Ontario Public Health Association (OPHA) and the Association of Local Public Health Agencies (alPHA) have**

created the **Smoke-Free Champion Awards** at both the local and provincial level, which awards were created to honour individuals who have contributed so much to this work.

**Councillor Filion, on behalf of the Board of Health, presented the Smoke-Free Champion Awards to the following individuals who were being recognized for their leadership, courage, political astuteness and determination on the road to a smoke-free Toronto and Ontario and who also provided consultation and support to the development of the Toronto by-law and Smoke-Free Ontario.**

- **Dr. Sheela Basrur, Medical Officer of Health for the Province of Ontario;**
- **Dr. David McKeown, Medical Officer of Health for the City of Toronto;**
- **Jane Speakman, Senior Solicitor, Legal Department, City of Toronto;**
- **Councillor Joe Mihevc, City of Toronto;**
- **Councillor Cliff Jenkins, City of Toronto;**
- **Carol Timmings, Director, Healthy Living/Chronic Disease Prevention, Toronto Public Health;**
- **Liz Janzen, Director, Healthy Living/Healthy Communities, Toronto Public Health;**  
and
- **Ron de Burger, Director, Healthy Environments, Toronto Public Health.**

**Councillor John Filion, Chair, Board of Health also received a Smoke-Free Champion Award which was presented to him by Dr. David McKeown, Medical Officer of Health.**

**In addition to the above recipients, Dr. David McKeown, announced that Toronto Public Health presented the Smoke-Free Champion Awards to sixty-nine individuals that day, who were citizen volunteers, individuals from collaborating agencies and Toronto Public Health staff who had championed this issue over many years.**

#### **4.1 Presentation – Final Report of Capacity Review Committee**

A presentation on the Final Report of the Capacity Review Committee was provided by Brian Hyndman, Member Board of Health.

On motion by Fiona Nelson, the Board of Health:

- (1) received the presentation from Brian Hyndman, Member, Board of Health on the report entitled “Revitalizing Ontario’s Public Health Capacity: The Final Report of the Capacity Review Committee”;  
and
- (2) established a new Sub-Committee of the Board of Health, comprised of Fiona Nelson, Valerie Sterling, Councillor Davis and Brian Hyndman, and requested that this Sub-Committee meet as soon as possible, to review and prepare a response to the report

entitled “Revitalizing Ontario’s Public Health Capacity: The Final Report of the Capacity Review Committee”, with special emphasis on consensus regarding full program funding, possible problems arising from multiple ministry jurisdictions, and where appropriate, jurisdictional issues involving the Local Health Integration Networks (LHINS).

#### **4.2 Mandatory Certification of Food Handlers – Update**

The Board of Health considered a report (May 3, 2006) from the Medical Officer of Health, presenting an amended proposal to the October 14, 2005 Board of Health Staff Report regarding Municipal Code Chapter 545 – Licensing, pursuant to City Council’s approval of the mandatory certification of food handlers.

##### Recommendations:

It is recommended that:

- (1) Municipal Code Chapter 545 – Licensing, be amended to require that:
  - (i) every owner/keeper of an eating and drinking establishment ensure that there is at least one food handler who holds a valid food handler certificate issued by the Medical Officer of Health, working in a supervisory capacity in each area of the premises where food is prepared, processed, served, packaged or stored except where Chapter 545 currently mandates that all people working in an establishment must hold a valid food handler certificate;
  - (ii) the food handler certificate along with government issued photo identification with the same name must be shown upon request by the Medical Officer of Health or his or her designate or the Municipal Licensing and Standards Division;
  - (iii) training and certification programs offered by organizations other than public health be accredited by the Medical Officer of Health in order to be recognized for the purposes of certifying food handlers;
  - (iv) the food handler certificate and accreditation of training and certification programs be valid for a maximum period of 5 years from the date of accreditation;
  - (v) accredited training and certification programs provide a list of certified food handlers to the Medical Officer of Health for the purposes of issuing valid food handler certificates; and

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- (vi) certified food handlers without government issued photo identification obtain a valid food handler certificate containing their picture issued by the Medical Officer of Health;
- (2) the By-law amendments referred to in recommendation (1) take effect on September 1, 2006 and that compliance enforcement for food handler certification be phased in over a five year period starting with high risk food premises in 2007, medium risk food premises in 2008 and 2009 and low risk food premises in 2010 and 2011;
- (3) Municipal Code Chapter 441 – Fees, be amended so that effective immediately the following fees shall be paid to the City of Toronto for the Food Handler Training and Certification Program offered by the Medical Officer of Health: Food Handler Training Course \$40; Food Handler Certification Examination and Certificate \$30; Replacement food handler certificate \$10; Food handler photo identification certificate (where the certified food handler does not have government issued photo identification) \$5; Medical Officer of Health issued Certificates for accredited training programs \$5; accreditation for training and certification programs \$300;
- (4) this report be forwarded to the Planning and Transportation Committee for a statutory meeting in June 2006 under the Municipal Act, 2001 and directly to the City Council meeting immediately following the statutory hearing; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also considered a communication (February 10, 2006) from the Budget Advisory Committee, advising that the Budget Advisory Committee, at its meeting on February 6, 2006, during consideration of the 2006 Operating Budget for Public Health, referred the following communications to the Board of Health:

- (i) (January 9, 2006) from the Planning and Transportation Committee, entitled “Toronto Public Health 2006 Operating Budget – Mandatory Certification of Food Handlers”, only as it refers to the policy recommendations related to this program;
- (ii) (January 25, 2006) from Wendy’s Restaurants of Canada; and
- (iii) (February 3, 2006) from Councillor Gloria Lindsay Luby, Ward 4 Etobicoke Centre.

The following persons addressed the Board of Health and spoke in support of the staff recommendations:

- Peter Chen, Chinese Restaurant and Food Association;
  - Courtney Donovan, Canadian Restaurant and Foodservice Association;
  - Jim Kostuch, Traincan Inc.;
  - Marilyn B. Lee, Professor, School of Occupational & Public Health, Ryerson University; and
  - Syd Girling, Ontario Restaurant, Hotel and Motel Association.
- A. Valerie Sterling moved that the Board of Health recommend to the Planning and Transportation Committee that the Planning and Transportation Committee:
- (1) adopt the staff recommendations in the Recommendations Section of the report (May 3, 2006) from the Medical Officer of Health; and
  - (2) hold the statutory meeting under the *Municipal Act, 2001*, at its meeting in June 2006, and forward the report directly to the City Council meeting immediately following the statutory hearing, in accordance with Recommendation (4) of the report (May 3, 2006) from the Medical Officer of Health.
- B. Valerie Sterling moved that the Board of Health endorse the staff recommendations in the Recommendations Section of the report (May 3, 2006) from the Medical Officer of Health.

Motion A., and Motion B., moved by Valerie Sterling, **Carried**.

(Planning and Transportation Committee; c. Medical Officer of Health; Administrator, Budget Advisory Committee; Interested Persons – May 16, 2006)

#### **4.3 Pandemic Influenza Plan for the City of Toronto**

A verbal update on the Pandemic Influenza Plan for the City of Toronto was provided by Dr. Barbara Yaffe, Director and Associate Medical Officer of Health, Communicable Disease Control.

The Board of Health also considered a communication (May 11, 2006) from Ann Dembinski, President, Local 79, Canadian Union of Public Employees.

On motion by Cathy Crowe, the Board of Health:

- (1) received the verbal update from the Medical Officer of Health regarding the Pandemic Influenza Plan for the City of Toronto; and

- (2) requested Toronto Public Health staff to communicate with Board of Health Members, on an as needed basis, to provide updated information or clarification on relevant issues related to pandemic influenza.

#### **4.4 Revised 5-Year 2006 – 2010 Capital Budget and Plan for Toronto Public Health**

The Board of Health considered a report (May 2, 2006) from the Medical Officer of Health, proposing a revised five-year 2006 – 2010 Toronto Public Health (TPH) Capital Budget and Plan for the Board of Health's review and approval, as requested at its meeting of January 19, 2006.

##### Recommendations:

It is recommended that:

- (1) the revised 2006 – 2010 Toronto Public Health Capital Budget and Plan totalling \$16,601.4 thousand as detailed in Appendix 1, "Toronto Public Health 2006 – 2010 Revised Capital Budget & Plan" be endorsed;
- (2) eight Information & Technology sub-projects for 2007-2010 with total project costs of \$13,950.4 thousand, including future year commitments of \$3,463 thousand for 2007, \$3,489.9 thousand for 2008, \$3,499.0 thousand for 2009, and \$3,498.5 thousand for 2010 be approved;
- (3) operating impacts of \$489.6 thousand for 2007, \$326.3 thousand for 2008, \$158.7 thousand for 2009 and \$1,262.6 thousand for 2010, totalling \$2,237.2 thousand as detailed in Appendix 2, "Toronto Public Health 2006 – 2010 revised Operating Impact of Capital" be considered within the overall scope of Toronto Public Health 2007 and future years' operating budget submissions;
- (4) this report be forwarded to Budget Advisory Committee and the Policy and Finance Committee for consideration; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also considered a communication (May 1, 2006) from the Board of Health Budget Subcommittee, advising that the Board of Health Budget Subcommittee, at its meeting on April 27, 2006, recommended to the Board of Health that:

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- (1) the Board of Health be advised that the Board of Health Budget Subcommittee endorses the 2006 -2010 Revised Capital Budget Proposal, as outlined in Appendix 1-Toronto Public Health 2006 -2010 Capital Budget and Plan and Appendix 2-Toronto Public Health 2006 -2010 Operating Impact of Capital; and
- (2) the Medical Officer of Health be requested to provide further information to the Board of Health Budget Subcommittee regarding Provincial funding for the following two programs:
  - (a) Integrated Public Health Information System 6.5 (IPHIS 6.5); and
  - (b) Public Health Surveillance and Management System.

The Board of Health:

- (A) recommended to the Budget Advisory Committee and the Policy and Finance Committee that the Budget Advisory Committee and the Policy and Finance Committee adopt the following recommendations in the Recommendations Section of the report (May 2, 2006) from the Medical Officer of Health:
  - (1) that the revised 2006 – 2010 Toronto Public Health Capital Budget and Plan totalling \$16,601.4 thousand as detailed in Appendix 1, “Toronto Public Health 2006 – 2010 Revised Capital Budget & Plan” be endorsed;
  - (2) eight Information & Technology sub-projects for 2007-2010 with total project costs of \$13,950.4 thousand, including future year commitments of \$3,463 thousand for 2007, \$3,489.9 thousand for 2008, \$3,499.0 thousand for 2009, and \$3,498.5 thousand for 2010 be approved;
  - (3) operating impacts of \$489.6 thousand for 2007, \$326.3 thousand for 2008, \$158.7 thousand for 2009 and \$1,262.6 thousand for 2010, totalling \$2,237.2 thousand as detailed in Appendix 2, “Toronto Public Health 2006 – 2010 revised Operating Impact of Capital” be considered within the overall scope of Toronto Public Health 2007 and future years’ operating budget submissions; and
  - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and

(B) Took the following action:

- (i) endorsed the staff recommendations in the Recommendations Section of the report (May 2, 2006) from the Medical Officer of Health; and
- (ii) adopted the following recommendation of the Board of Health Budget Sub-Committee in the communication (May 1, 2006) from the Board of Health Budget Subcommittee:

that the Medical Officer of Health be requested to provide further information to the Board of Health Budget Subcommittee regarding Provincial funding for the following two programs:

- (a) Integrated Public Health Information System 6.5 (IPHIS 6.5); and
- (b) Public Health Surveillance and Management System.

(Budget Advisory Committee, Policy and Finance Committee; c. Medical Officer of Health – May 16, 2006)

#### **4.5 Toronto Public Health 2006 Operating Budget – Adjustments to 100% Funded Programs**

The Board of Health considered a report (May 1, 2006) from the Medical Officer of Health, requesting budget adjustments to the fully funded programs in the Toronto Public Health (TPH) 2006 Operating Budget reflecting confirmed funding from various levels of government and external agencies.

##### Recommendations:

It is recommended that:

- (1) the Toronto Public Health 2006 Approved Operating Budget be reduced by \$579.9 thousand gross and \$0 net and increased by 1 position as detailed in Table 1;
- (2) this report be forwarded to the Budget Advisory Committee and the Policy and Finance Committee for its consideration; and

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- (3) the appropriate city officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also considered a communication (May 1, 2006) from the Board of Health Budget Subcommittee, advising that the Board of Health Budget Subcommittee, at its meeting on April 27, 2006, recommended to the Board of Health that:

- (1) the Medical Officer of Health be requested to continue to work with the Association of Local Public Health Agencies (alPHa) in developing a response to the Ontario Government with regard to the funding allocations needed to achieve the requirements of the Mandatory Health Programs and Services Guidelines; and
- (2) the Chair, Board of Health, and the Medical Officer of Health, be requested to meet with the Chief Medical Officer of Health and the Minister of Health and Long Term Care, to bring awareness to the unique health/program issues and funding requirements of Toronto Public Health.

The Board of Health:

- (A) recommended to the Budget Advisory Committee and the Policy and Finance Committee that the Budget Advisory Committee and the Policy and Finance Committee adopt the following recommendations in the Recommendations Section of the report (May 1, 2006) from the Medical Officer of Health:

- (1) that the Toronto Public Health 2006 Approved Operating Budget be reduced by \$579.9 thousand gross and \$0 net and increased by 1 position as detailed in Table 1; and
- (2) the appropriate city officials be authorized and directed to take the necessary action to give effect thereto; and

- (B) Took the following action:

- (1) endorsed the staff recommendations in the Recommendations Section of the report (May 1, 2006) from the Medical Officer of Health;
- (2) adopted the following recommendations of the Board of Health Budget Sub-Committee in the communication (May 1, 2006) from the Board of Health Budget Sub-Committee:
  - (a) that the Medical Officer of Health be requested to continue to work with the Association of Local Public Health Agencies (alPHa) in developing a response to the Ontario

Government with regard to the funding allocations needed to achieve the requirements of the Mandatory Health Programs and Services Guidelines; and

- (b) that the Chair, Board of Health, and the Medical Officer of Health, be requested to meet with the Chief Medical Officer of Health and the Minister of Health and Long Term Care, to bring awareness to the unique health/program issues and funding requirements of Toronto Public Health.

(Budget Advisory Committee; Policy and Finance Committee; c. Medical Officer of Health – May 16, 2006)

#### **4.6 Service Agreements Awarded and Executed by the Medical Officer of Health**

The Board of Health considered a report (May 1, 2006) from the Medical Officer of Health, informing the Policy and Finance Committee, through the Board of Health, on the purchase of service contracts currently awarded and executed by the Medical Officer of Health according to the delegation of authority by Council.

##### Recommendations:

It is recommended that this report be forwarded to the Budget Advisory Committee and the Policy and Finance Committee for information.

The Board of Health also considered a communication (May 1, 2006) from the Board of Health Budget Subcommittee, advising that the Board of Health Budget Subcommittee, at its meeting on April 27, 2006, recommended that the Board of Health establish the principle that where Service Agreements are awarded and executed, and where there is fiduciary control by the Medical Officer of Health, that annual increases to the Service Agreements, for inflationary pressures, be given strong regard.

The Board of Health:

- (A) recommended that the report (May 1, 2006) from the Medical Officer of Health be forwarded to Budget Advisory Committee and the Policy and Finance Committee for information; and
- (B) Took the following action:
  - (1) adopted the staff recommendation in the Recommendations Section of the report (May 1, 2006) from the Medical Officer of Health; and

- (2) established the principle that where Service Agreements are awarded and executed, and where there is fiduciary control by the Medical Officer of Health, that annual increases to the Service Agreements, for inflationary pressures, be given strong regard, in accordance with the recommendation in the communication (May 1, 2006) from the Board of Health Budget Subcommittee.

(Budget Advisory Committee; Policy and Finance Committee; c. Medical Officer of Health – May 16, 2006)

#### **4.7 2006/2007 Student Nutrition Program Service Subsidies**

The Board of Health considered a report (May 1, 2006) from the Medical Officer of Health, requesting that the Board of Health adopt the recommendations of the Student Nutrition Program Steering Committee regarding the 2006/2007 Student Nutrition Program service subsidy allocations.

##### Recommendations:

It is recommended that:

- (1) the Board of Health recommend that the City enter into agreements totalling \$2,599,340 with the Toronto Foundation for Student Success (\$2,327,190) and the Metropolitan Toronto Catholic Education Foundation (\$272,150) to administer the allocation of service subsidies to eligible student nutrition programs across the City of Toronto;
- (2) authority be granted to the Medical Officer of Health to take the necessary action to give effect to Recommendation (1), including the execution of agreements with the Toronto Foundation for Student Success and the Metropolitan Toronto Catholic Education Foundation on behalf of the City;
- (3) this report be forwarded for information to the Minister of Children and Youth Services, the Minister of Health Promotion, Toronto District School Board, the Toronto Catholic District School Board and the Food and Hunger Action Committee; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect hereto.

On motion by Councillor Davis, the Board of Health:

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 1, 2006) from the Medical Officer of Health; and
- (2) endorsed the staff recommendations in the Recommendations Section of the report (May 1, 2006) from the Medical Officer of Health.

(Minister of Children and Youth Services; Minister of Health Promotion; Toronto District School Board; Toronto Catholic District School Board; Food and Hunger Action Committee; c: Medical Officer of Health – May 16, 2006)

#### **4.8 Local Health Committee Minutes**

The Board of Health considered the minutes from the Scarborough Local Health Committee meeting held on January 10, 2006.

The Board of Health received the minutes from the Scarborough Local Health Committee meeting held on January 10, 2006.

#### **4.9 Report Request on Incorporation of Toronto Public Health Prudent Avoidance Policy into Corporate Protocol for Installation of Telecommunications Towers and Health Risks Arising from Concentration of Telecommunications Towers**

On motion by Councillor Filion, and in accordance with Section 38, New Business, of By-law No. 1-1998 to govern the proceedings of the Board of Health for the City of Toronto Health Unit, the Board of Health, by two-thirds vote, decided to consider a request from Councillor Filion, regarding a report request on Incorporation of Toronto Public Health Prudent Avoidance Policy into Corporate Protocol for Installation of Telecommunications Towers and Health Risks Arising from Concentration of Telecommunications Towers.

The Board of Health considered the following motion submitted by Councillor Filion:

**WHEREAS** there is an expanding network of cellular phone and other telecommunication towers throughout Toronto's residential neighbourhoods; and

**WHEREAS** there is concern expressed by citizens related to the potential health effects that may be associated with exposure to the radio waves used with this technology; and

**WHEREAS** increasing concentration of telecommunication towers in certain locations may have the effect of increasing the level of radio frequencies to which the public in the immediate vicinity may be exposed; and

**WHEREAS** scientific studies provide evidence of health risk at levels below the current federal guideline referred to as Safety Code 6;

**WHEREAS** the Board of Health adopted a policy of prudent avoidance respecting cellular telephone base antennas in 1999 that recommends that radio frequencies (measured in power density) from these installations be kept 100 times below the current federal guideline (Safety Code 6) in order to provide a greater level of protection against potential health effects;

**NOW THEREFORE BE IT RESOLVED THAT** the Medical Officer of Health, in collaboration with the Chief Planner and Executive Director, City Planning, report to the Board of Health on the incorporation of the Toronto Public Health prudent avoidance policy into the corporate protocol for the installation of telecommunication towers which is under development.

**AND BE IT FURTHER RESOLVED THAT** the report outlined above address any health risks arising from the concentration of telecommunication towers.

On motion by Councillor Filion, the Board of Health adopted the foregoing motion.

The Board of Health adjourned at 3:55 p.m.

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Chair