



*** SPECIAL MEETING ***
Ottawa Board of Health
MINUTES 10

Monday, 20 April 2020, 5:00 PM

By Electronic Participation

Contact for the Ottawa Board of Health:

Diane Blais, Board of Health Secretary

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Board Members:

Chair: K. Egli

Vice-Chair: T. DeGiovanni

**Members: E. Banham, J. Cloutier, E. El-Chantiry, G. Gower, T. Kavanagh,
L. Leikin, S. Menard, S. Pinel, P. Tilley**

The Ottawa Board of Health met by teleconference, on Monday, 10 February 2020 beginning at 5:00 PM.

Councillor Keith Egli, Chair of the Board of Health, presided over the meeting.

ROLL CALL

All members participated.

REGRETS

No regrets were filed.

DECLARATIONS OF PECUNIARY INTEREST (INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS)

No declarations of interest were filed.

CONFIRMATION OF MINUTES

Confirmation of minutes of the meeting of February 10, 2020.

CONFIRMED

COMMUNICATIONS

Ten communication items have been received (held on file with the Board of Health Secretary).

Before dealing with any other matter, the Board of Health considered the Motion referenced at Agenda Item 1.

1. MOTION TO AMEND THE PROCEDURE BY-LAW 2011-1 TO PERMIT REMOTE PARTICIPATION IN ACCORDANCE WITH BILL 187, MUNICIPAL EMERGENCY ACT, 2020 AND RELATED PROCEDURAL MATTERS REQUIRED AS A RESULT OF THE NOVEL CORONAVIRUS (COVID-19) PANDEMIC

Motion 10/1

Moved by Member Menard

BE IT RESOLVED that the Rules of Procedure be suspended to permit the introduction of the following motion, in order to respond in a timely manner to the restrictions in place as a result of the Novel Coronavirus (COVID-19) pandemic; and

BE IT FURTHER RESOLVED that the Rules of Procedure be suspended to provide that Members of Board of Health may participate in consideration of, and vote on, the following motion through electronic participation by way of telephone at the Special Meeting of the Board of Health on April 20, 2020, in accordance with subsections 238(3.1) to 238(3.4) of the Municipal Act, 2001:

WHEREAS the Novel Coronavirus (COVID-19) pandemic continues to evolve and is causing significant effects across the world and in the City of Ottawa; and

WHEREAS the ongoing COVID-19 situation, the associated recommendation from Ottawa Public Health with respect to physical distancing and Government of Ontario restrictions with respect to group gatherings of more than five (5) people mean that it is not advisable for Members of the Board of Health to attend the Board of Health meeting of April 20, 2020 in person, as well as other Board of Health meetings in an unknown period of time thereafter; and

WHEREAS Subsection 238(3.1) of the *Municipal Act, 2001* (the Act), as amended by Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, provides that a municipality's or local board's Procedure By-law

“may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time”; and

WHEREAS on March 19, 2020, Bill 187, the *Municipal Emergency Act, 2020*, received Royal Assent and amended the *Municipal Act, 2001* such that a municipality’s or local board’s Procedure By-law may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*:

1. A Member of Council, of a local board or of a committee of either of them “who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time” [the new Subsection 238(3.3)(a) of the *Municipal Act, 2001*], and
2. A Member of Council, of a local board or of a committee of either of them “can participate electronically in a meeting that is closed to the public” [the new Subsection 238(3.3)(b) of the *Municipal Act, 2001*]; and

WHEREAS Subsection 238(3.4) of the *Municipal Act, 2001*, as amended by Bill 187, provides that “a municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of [Subsection 238(3.3) of the *Municipal Act, 2001*] during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite [Subsection 238(3.1) of the *Municipal Act, 2001*], a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting”; and

WHEREAS on March 17, 2020, an emergency related to the COVID-19 outbreak was declared in the whole of the Province of Ontario, pursuant to Section 7.0.1 of the *Emergency Management and Civil Protection Act*, as set out in Order in Council 518/2020;

WHEREAS the Chair has convened the Board of Health meeting of April

20, 2020, as a Special Meeting of the Board of Health, as permitted under the new Subsection 238(3.4) of the *Municipal Act, 2001*; and

WHEREAS the Board of Health's Procedure By-law (No. 2011-1) does not provide for electronic participation at meetings of the Board of Health, and Section 27 of the Procedure By-law requires that, "When the Chair calls for the vote on a question, each Member shall occupy their seat until the result of the vote has been declared by the Chair ..." and that, "A Member not in a seat reserved for the Board at the time that Member's name is called shall not be entitled to vote"; and

WHEREAS, under the current circumstances relating to COVID-19, allowing Members of the Board of Health to participate electronically in a meeting of the Board pursuant to the Board's discretionary authority under the *Act* would provide an opportunity for Members unable to physically attend the meeting to participate and exercise their statutory roles and responsibilities as Members of the Board of Health; and

WHEREAS staff recommend that in consideration of the current circumstances, electronic participation at a meeting of the Board of Health should include the following parameters:

- 1. While a quorum of 6 Members may be physically present at the meeting, any Member participating electronically can be counted in determining whether or not a quorum is present, as permitted by statute;**
- 2. A Member shall be permitted to participate electronically in a meeting which is closed to the public, as permitted by statute;**
- 3. Electronic participation shall be conducted by way of telephone, following instructions provided by the Board Secretary in order to ensure that the meeting may proceed in the most transparent and successful manner under the current timelines and circumstances; and**
- 4. Subject to the above-noted parameters, a Member who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote; and**

THEREFORE BE IT RESOLVED that the Board of Health approve that the Procedure By-law (No. 2011-1) be amended to provide for Members to participate electronically in the Board of Health meeting of April 20, 2020,

and in all meetings of the Board of Health held thereafter while the emergency declaration set out in Order in Council 518/2020 remains in effect, pursuant to subsections 238(3.1) to 238(3.3) of the *Municipal Act, 2001* and in accordance with the parameters described in this motion; and

BE IT FURTHER RESOLVED that the Board waive the requirement under Section 27 of the Procedure By-law, as described in this motion, such that when the Chair calls for the vote on a question, any Member participating electronically at that time shall be entitled to vote; and

BE IT FURTHER RESOLVED THAT, in order to respond to evolving circumstances, Council suspend the notice requirements set out in Subsection 76(2) of the Procedure By-law such that these emergency provisions may be amended or revisited by a majority of the Board of Health at a future meeting; and

BE IT FURTHER RESOLVED that, while the emergency declaration set out in in Order in Council 518/2020 remains in effect, all Board of Health meetings may be convened as Special Meetings in accordance with Section 14 of the Procedure By-law, as amended by the following:

- a) Agendas shall be limited to items that, in the opinion of the Chair, informed by the Medical Officer of Health and operational staff, are of a time sensitive nature or pertain to a legislative requirement such that they should be considered during the emergency period; and
- b) Subject to the minimum six-hour notice provisions in the Procedure By-law, the Chair and the Board Secretary shall endeavour to publish agendas in accordance with the timelines for a regular meeting, and where not possible, with as much notice as possible under the circumstances; and
- c) That, during this emergency period, additional items may be added to such Special Meeting agendas, with less than six hours notice, with the approvals of 2/3 of Members present and voting (instead of the unanimous consent currently provided for in Subsection 14(5) of the Procedure By-law).

CARRIED

MOTION TO INTRODUCE REPORTS

Motion 10/2

Moved by Member Menard

BE IT RESOLVED THAT the Chair of the Board of Health Verbal Report, the Medical Officer of Health Verbal Report, and the reports titled: Ottawa Public Health Submission to the Government of Ontario on the Potential for Cannabis Consumption Establishments and/or Cannabis Special Occasion Permits; Ottawa Public Health Submission to the Ontario Ministry of Health on Proposed Vaping Regulations; Ottawa Public Health's Strategic Plan for 2019-2022 – Update from Quarter Four of 2019; Ontario Ministry of Health Accountability and Reporting Requirements - Q4 2019 Standard Activity Report; 2019 Operating Budget Year-End Results – Board of Health for the City of Ottawa Health Unit Status Report; and Delegation of Authority – Contracts Awarded for the Period of July 1 to December 31, 2019,, be received and considered.

CARRIED

Following a 'Consent Agenda' process, the Board considered the held Items in the order in which they appear on the Agenda.

2. CHAIR OF THE BOARD OF HEALTH VERBAL REPORT

ACS2020-OPH-BOH-0003

That the Board of Health for the City of Ottawa Health Unit receive this report for information.

RECEIVED, as amended by Motion 10/3

Chair Egli began by acknowledging the tragic shooting that occurred in Nova Scotia over the weekend and offering condolences to all those affected.

He then reported on Heather Crowe being recognized for her Life Time Contribution by **Femmes Remarquables Ottawa Distinguished Women**, provided an overview of the City's response to the COVID-19 pandemic, and talked about public health modernization and discussions on collaboration between Ottawa Public Health and the Renfrew County and District Health Unit.

As a result of the Chair's verbal update, the Board adopted a motion to further explore collaborations between the two health units.

The discussion on this item lasted approximately 15 minutes. The report was then received by the Board. The attached memo includes the Chair's Verbal Update.

Motion 10/3

Moved by Member Menard

WHEREAS throughout this past year's discussions on public health modernization, Ottawa Public Health has looked for and explored opportunities for greater collaboration amongst local health units in order to increase public health program and service capacity and to leverage resources and expertise; and

WHEREAS one of the key themes discussed in Ottawa Public Health's written submission to the Ministry of Health in response to public health modernization consultations focused on the establishment of regional service and collaboration hubs to improve consistency and equity of public health program and service delivery across Ontario to ensure system sustainability; and

WHEREAS in late February 2020, the Chair and Vice-Chair of the Ottawa Board of Health, Councillor Keith Egli and Tammy DeGiovanni, met with representatives from the Board of Health of the Renfrew County and District Health Unit to discuss opportunities for collaboration between these two neighbouring health units; and

WHEREAS on March 31, 2020, the Chair of the Board of Health for the

Renfrew County and District Health Unit, Ms. Janice Visneskie Moore, wrote a letter to Chair Egli expressing her Board's hope that, moving forward, the two organizations would be able to develop a collaborative approach in order to become stronger together in providing public health to residents of both jurisdictions, based on efficient use of resources and public health best practices; and

WHEREAS Chair Visneskie Moore's letter also expressed a desire to meet again to continue discussions regarding a potential collaborative approach to providing public health services in Ottawa and Renfrew County and District; and

WHEREAS, in addition to Ottawa Public Health's recommendations to the Ministry of Health in its submission on public health modernization, collaboration is also important in the context of the current emergency response to COVID-19 because of the need for a strong response across our region;

BE IT RESOLVED that, through this motion, the Board of Health for the City of Ottawa Health Unit formally express its support for exploring collaborations with the Renfrew County and District Health Unit and its willingness to meet with representatives of that health unit following the current COVID-19 emergency response; and

BE IT FURTHER RESOLVED that in the interim, the Board of Health for the City of Ottawa Health Unit authorize Ottawa Public Health's senior management to continue to work with representatives of the Renfrew County and District Health Unit to enhance collaboration as operationally feasible and appropriate and to report back to the Board of Health as needed.

CARRIED

3. MEDICAL OFFICER OF HEALTH VERBAL REPORT

ACS2020-OPH-MOH-0003

That the Board of Health for the City of Ottawa Health Unit receive this report for information.

RECEIVED, as amended by Motions 10/5, 10/6, 10/7, and 10/8, below

Dr. Vera Etches, Medical Officer of Health, provided the Board with a detailed update on Ottawa Public Health's response to the COVID-19 pandemic, including efforts made in collaboration with various partners.

Arising out of Dr. Etches' Verbal Report, the Board adopted four (4) motions on community gardens, digital technology, non-medical masks, and active transportation.

The discussion on this item lasted approximately 2 hours and 5 minutes. The report was then received by the Board. The attached memo includes the Medical Officer of Health's Verbal Update.

At 6:35 p.m., during discussion on the above item, the Board approved a motion to extend the time of the meeting beyond 7:00 p.m.

Motion 10/4

Moved by Member Menard

BE IT RESOLVED THAT the Board of Health approve that the meeting time be extended past 7:00 p.m. pursuant to Subsection 8(1)(c) of the *Procedural By-law*.

CARRIED

Motion 10/5

Moved by Chair Egli

WHEREAS on March 30, 2020, the Government of Ontario issued an Emergency Order under Subsection 7.0.2(4) of the *Emergency*

***Management and Civil Protection Act* with respect to the closure of outdoor recreational amenities; and**

WHEREAS the list of specific outdoor spaces that are subject to the closure, as found in Schedule 1 of the Order, includes “all outdoor allotment gardens and community gardens”; and

WHEREAS Ottawa Public Health believes that outdoor allotment gardens and community gardens are not only recreational amenities given that, in addition to providing a source of outdoor physical activity, they are also an important measure for increasing food security for many residents; and

WHEREAS outdoor allotment gardens and community gardens can be operated safely, with physical distancing and other public health measures to prevent the spread of COVID-19; and

WHEREAS in Ottawa, there are local partners in place that are prepared to support the safe operation of these outdoor allotment gardens and community gardens, based on public health guidelines to prevent the spread of COVID-19;

BE IT RESOLVED that the Board of Health for the City of Ottawa Health Unit direct the Chair of the Board of Health to write a letter to the Premier of Ontario and to the Ontario Minister of Health asking for their consideration in amending the March 30, 2020 Emergency Order in advance of the 2020 gardening season to exempt outdoor allotment gardens and community gardens where food is grown from the closure of outdoor recreational amenities in jurisdictions where public health measures can be implemented to support their safe operation to prevent the spread of COVID-19.

CARRIED

Motion 10/6

Moved by Member Menard

WHEREAS contact tracing has been identified as a critical means of containing the spread of COVID-19; and

WHEREAS the process of contact tracing can be labour intensive given that the local public health unit is required to identify, notify, inform and monitor every person who is identified as a close contact of a confirmed case of COVID-19; and

WHEREAS as the number of cases of COVID-19 continues to increase so does the number of close contacts who require notification, information and monitoring; and

WHEREAS leveraging technology has been identified as an option for facilitating the effective management of this public health emergency;

BE IT RESOLVED that the Board of Health for the City of Ottawa Health Unit authorize the Medical Officer of Health to explore and adopt innovative digital technologies to automate some of the functions associated with the management of this pandemic provided that such technology adheres to legislative and other requirements to safeguard the protection of personal information of individuals, including personal health information.

CARRIED on a division of 10 YEAS to 1 NAY, as follows:

YEAS (10): E. Banham, J. Cloutier, G. Gower, T. Kavanagh, L. Leikin,
S. Menard, S. Pinel, P. Tilley, T. DeGiovanni, K. Egli

NAY (1): E. El-Chantiry

Motion 10/7

Moved by Member Menard

WHEREAS we know that there is evidence of asymptomatic or pre-symptomatic transmission of COVID-19; and

WHEREAS community use of non-medical masks is a non-pharmaceutical intervention that is proven to reduce the spread of a person's own infectious respiratory droplets in situations where physical distancing is not always possible, thereby complementing other interventions such as properly washing hands, disinfecting surfaces and physical distancing; and

WHEREAS Ottawa Public Health supports safeguarding the supply of

medical grade face masks and shields for use by healthcare workers and increasing the availability of non-medical masks for all members of the public to use when needed; and

WHEREAS, until such time as a vaccine may be developed and broadly available for the control of COVID-19 in our community, all non-pharmaceutical interventions should continue to be explored and promoted in order to slow the spread of infection and aid in recovery efforts;

BE IT RESOLVED that the Board of Health for the City of Ottawa Health Unit request that the Medical Officer of Health and Ottawa Public Health staff work with partners to explore potential avenues for the large-scale production and availability of an adequate supply of non-medical face masks that would enable all Ottawa residents to have access to non-medical face masks should they wish to add this to their own non-pharmaceutical measures for the prevention and control of COVID-19 in our community.

CARRIED

Motion 10/8

Moved by Member Menard

WHEREAS the City of Ottawa—along with Ontario, Canada and the world—are currently experiencing the COVID-19 pandemic; and

WHEREAS this pandemic has witnessed all orders of government put in place emergency measures and guidelines to slow the spread of the virus and “flatten the curve” in order to preserve the health and lives of as many residents as possible; and

WHEREAS those measures include self-isolation, quarantine and physical distancing (also known as social distancing); and

WHEREAS the city, the province and the country are seeking cooperation from residents to adjust their habits, activities and lifestyles to align with the guidelines relating to physical distancing; and

WHEREAS Ottawa Public Health (OPH) defines physical distancing as taking steps to limit the number of people you come into close contact

with; and

WHEREAS residents need to access essential services, including, but not limited to, grocery stores, pharmacies, medical offices, pet hospitals, and hardware stores; and

WHEREAS these essential services are often—by design—on our traditional main streets and arterials; and

WHEREAS many residents do not own cars and rely on active transportation to access these services; and

WHEREAS people continue to walk in the street to provide distance between themselves and others walking on the sidewalk, because of the perceived risk; and

WHEREAS city traffic services reports that traffic volume has dramatically decreased while city police report that traffic speed infractions have increased; and

WHEREAS the city and the National Capital Commission have instructed residents not to venture outside their neighbourhoods for non-essential reasons while lanes normally reserved for metered vehicle parking have seen a large decrease in use; and

WHEREAS the Ontario Ministry of Health has stated that “everyone in Ontario should do their best to avoid close contact with people outside of their immediate families. Close contact includes being within two (2) meters of another person”; and

WHEREAS the Public Health Agency of Canada has told Canadians who are not in isolation or quarantine that it is safe to go outside—run, bike, walk the dog—but that they should stay at least 2 metres away from other people; and

WHEREAS OPH has consistently recognized the need for residents to access essential services and has encouraged residents to go outside for their physical and mental health; and

WHEREAS the 2019 report from City of Ottawa, Planning, Infrastructure, and Economic Development, titled *The Building Blocks for a Healthy Ottawa*, emphasizes the connection between active transportation infrastructure and mental and physical well-being; and

WHEREAS on April 18, OPH stated that “our neighbourhood sidewalks, streets, and multiuse paths are all still available to get outside and get

moving”; and

WHEREAS Ottawa Public Health is on the record as supporting, encouraging, and promoting safe active transportation as well as complete streets; and

BE IT RESOLVED that the Ottawa Board of Health formally express its support of the Medical Officer of Health's professional advice that "physical activity and getting fresh air are important for our overall physical and mental wellbeing" and that "you can still go for a walk, run or ride your bike in your neighbourhood, on shared paths and through your local park"

BE IT FURTHER RESOLVED that the Ottawa Board of Health also express its formal support for the City of Ottawa, federal and provincial governments to increase the amount of safe active transportation space outdoors for residents, including when accessing essential services, to improve their physical and mental health while still adhering to all municipal and federal guidelines related to physical distancing as well as provincial regulations and emergency orders against not assembling in groups of more than five persons.

CARRIED

4. OTTAWA PUBLIC HEALTH SUBMISSION TO THE GOVERNMENT OF ONTARIO ON THE POTENTIAL FOR CANNABIS CONSUMPTION ESTABLISHMENTS AND/OR CANNABIS SPECIAL OCCASION PERMITS

ACS2020-OPH-HPP-0006

That the Board of Health for the City of Ottawa Health Unit receive the Medical Officer of Health's submission to the Government of Ontario's consultation on the potential for cannabis consumption establishments and/or cannabis special occasion permits, as outlined in Document 1, and approve the recommendations contained therein.

CARRIED

5. OTTAWA PUBLIC HEALTH SUBMISSION TO THE ONTARIO MINISTRY OF HEALTH ON PROPOSED VAPING REGULATIONS

ACS2020-OPH-HPP-0005

That the Board of Health for the City of Ottawa Health Unit receive the Medical Officer of Health's submission to the Ontario Ministry of Health on proposed vaping regulations, as outlined in Document 1, and approve the recommendations contained therein.

CARRIED

6. OTTAWA PUBLIC HEALTH'S STRATEGIC PLAN FOR 2019-2022 – UPDATE FROM QUARTER FOUR OF 2019

ACS2020-OPH-KPQ-0003

That the Board of Health for the City of Ottawa Health Unit receive this report for information.

RECEIVED

7. ONTARIO MINISTRY OF HEALTH ACCOUNTABILITY AND REPORTING REQUIREMENTS - Q4 2019 STANDARD ACTIVITY REPORT

ACS2020-OPH-KPQ-0002

That the Board of Health for the City of Ottawa Health Unit receive this report for information.

RECEIVED

8. 2019 OPERATING BUDGET YEAR-END RESULTS – BOARD OF HEALTH FOR THE CITY OF OTTAWA HEALTH UNIT STATUS REPORT

ACS2020-OPH-PCS-0001

That the Board of Health for the City of Ottawa Health Unit receive the 2019 operating budget year-end results for information.

RECEIVED

9. DELEGATION OF AUTHORITY – CONTRACTS AWARDED FOR THE PERIOD OF JULY 1 TO DECEMBER 31, 2019

ACS2020-OPH-PCS-0002

That the Board of Health for the City of Ottawa Health Unit receive this report for information.

RECEIVED

MOTION TO ADOPT REPORTS

Moved by Member Menard

BE IT RESOLVED THAT the Chair of the Board of Health Verbal Report, the Medical Officer of Health Verbal Report, and the reports titled: Ottawa Public Health Submission to the Government of Ontario on the Potential for Cannabis Consumption Establishments and/or Cannabis Special Occasion Permits; Ottawa Public Health Submission to the Ontario Ministry of Health on Proposed Vaping Regulations; Ottawa Public Health's Strategic Plan for 2019-2022 – Update from Quarter Four of 2019; Ontario Ministry of Health Accountability and Reporting Requirements - Q4 2019 Standard Activity Report; 2019 Operating Budget Year-End Results – Board of Health for the City of Ottawa Health Unit Status Report; and Delegation of Authority – Contracts Awarded for the Period of July 1 to December 31, 2019,, be received and adopted.

CARRIED

MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE

There were no motions requiring suspension of the rules.

NOTICES OF MOTION (FOR CONSIDERATION AT SUBSEQUENT MEETING)

There were no Notices of Motion (for consideration at a subsequent meeting).

CONFIRMATION BY-LAW

Motion 10/10

Moved by Member Menard

BE IT RESOLVED THAT Confirmation By-law no. 2020-2, a by-law of the Board of

Health for the City of Ottawa Health Unit to confirm the proceedings of the Ottawa Board of Health at its meeting of April 20, 2020, be read and passed.

CARRIED

INQUIRIES AND ANSWERS

None

ADJOURNMENT

The Board adjourned the meeting at 7:52 p.m.

NEXT MEETING

Regular Meeting

Monday, 15 June 2020

BOARD SECRETARY

BOARD CHAIR