BOARD OF HEALTH
REPORT 17-003
AS AMENDED BY COUNCIL ON APRIL 26, 2017

1:30 p.m.
Thursday, April 20, 2017
Council Chambers
Hamilton City Hall

Present: Mayor F. Eisenberger
Councillors A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson, D. Skelly (Deputy Mayor), T. Whitehead, M. Pearson, B. Johnson, L. Ferguson, and J. Partridge

Absent with regrets: Councillor A. VanderBeek – City Business, Councillor D. Conley – Personal; Councillor R. Pasuta – Sick Leave

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THE BOARD OF HEALTH PRESENTS REPORT 17-003 AND RESPECTFULLY RECOMMENDS:

1. Hamilton-Based Commercial Bottlers of Municipal Tap Water (FSC17028) (City Wide) (Item 5.1)

That Report FCS17028 respecting Hamilton-Based Commercial Bottlers of Municipal Tap Water, be received.

2. Water Drinking Fountains in Parks (PW17018) (City Wide) (Item 5.2)

That Report PW17018 respecting Water Drinking Fountains in Parks, be received.

3. Public Health Services Emergency Management Program Update (BOH17012) (City Wide) (Item 5.3)

That Report BOH17012 respecting a Public Health Services Emergency Management Program Update, be received.

4. Suitability of Bayfront Beach as a Public Beach (BOH16008(a)) (Item 7.1)

That Report BOH16008(a) respecting the Suitability of Bayfront Beach as a Public Beach, be received.

5. Ground Water Extraction for Commercial Water Bottling (BOH17011) (City Wide) (Item 8.2)

(a) That the comments submitted by Hamilton Water to the Ontario Environmental Bill of Rights Registry website on November 30, 2016, respecting the Ministry of Environment and Climate Change proposed water-taking permit requirements for commercial water-bottling facilities, and attached as Appendix "A" to Report BOH17011, be approved;

(b) That a copy of the comments from Hamilton Water submitted to the Ontario Environmental Bill of Rights Registry website on November 30, 2016, respecting the Ministry of Environment and Climate Change proposed water-taking permit requirements for commercial water-bottling facilities, accompany an endorsement letter from Council to the Premier and the Minister of Environment and Climate Change; and

(c) That staff report back to the Board of Health on the outcome of the Province of Ontario's review of the regulation of water-taking by commercial water-bottling facilities under Ontario Water Resources Act, expected to be completed before the Ministry of the Environment and Climate Change's two year moratorium on water-taking permits for these facilities expires on January 1, 2019.

6. Hamilton Opioid Response Provincial and Federal Funding Request (BOH17013) (City Wide) (Item 8.3)

(a) That Appendix "A" of Report BOH17013 respecting the Hamilton Opioid Response Provincial and Federal Funding Request be endorsed by the Board of Health; and

(b) That a letter be sent to the Ontario Minister of Health and Long-Term Care and the federal Minister of Health in support of the Hamilton Opioid Response Provincial and Federal Funding Request.

7. Prohibiting Smoking Within City Parks and Recreation Properties: Schedule Update (BOH07034(k)) (City Wide) (Item 8.4)

(a) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 11-080, updating Schedule "A" which lists the parks and recreation properties where smoking is prohibited; and

(b) That the By-law amending By-law No. 11-080 be enacted by Council.

8. Correspondence from the Huron County Health Unit respecting Basic Income in Ontario (Item 11.1)

That the Correspondence from the Huron County Health Unit respecting Basic Income in Ontario be received and referred to the General Manager of Community & Emergency Services

9. Board of Health Interview Sub-Committee Report 17-001 - March 27, 2017 (Item 12.1)

That the recommendation of Item 9 of the Board of Health Report 17-003 respecting the Board of Health Interview Sub-Committee Report 17-001 - March 27, 2017 be deleted in its entirety and the following be inserted therein:

That the recommendations of Report 17-001 of the Board of Health Interview Sub-Committee Report 17-001 - March 27, 2017 respecting committee appointments to the Food Advisory Committee be approved and remain confidential until Council's approval.

Food Advisory Committee Appointments

That the following individuals be appointed to the Food Advisory Committee for a term commencing April 27, 2016 and expiring with the current term of Council or until such time as successors are appointed:

Sophie Augurusa
Lauren Beeler
Lynn Gates
Tracy Hutchings
Ravi Shah
Bill Slowka

FOR THE INFORMATION OF THE BOARD OF HEALTH:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised the Board of the following changes to the agenda:

1. DELEGATION REQUEST (Item 4)

4.2 David Bennett, Hamilton Chapter of the Council of Canadians, respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (for today's meeting)

4.3 Jim Goetz, Canadian Beverage Association respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (for today's meeting)

4.4 Dave Cherkewski, Hamilton Chapter of the Council of Canadians respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (for today's meeting)

4.5 Students of St. Marguerite d'Youville respecting a ban on bottled water (for today's meeting)

2. DELEGATION WITHDRAWN

6.3 Gail Krantzberg, McMaster University respecting a proposed ban on local water extraction (approved at the March 20, 2017 meeting)

The delegate advised that due to a scheduling conflict, she is unable to present at today's meeting.

3. ADDED CORRESPONDENCE

11.3 Correspondence from Gail Krantzberg, McMaster University respecting a proposed ban on local water extraction.

The agenda for the April 20, 2017 Board of Health was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor B. Johnson declared a conflict regarding Item 6.1, Board of Health Report 17-003, Delegation Requests from Jim Goetz, Canadian Beverage Association respecting Ground Water Extraction for Commercial Water Bottling (BOH17011), and Item 8.2, Ground Water Extraction for Commercial Water Bottling (BOH17011) as she has a family member employed in the beverage industry.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) March 20, 2017 (Item 3.1)

The Minutes of the March 20, 2017 meeting of the Board of Health were received, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Dr. Linda Lukasik, Environment Hamilton, respecting a proposed ban on local groundwater extraction for non-agricultural commercial activity (for today's meeting) (Item 4.1)

The delegation request from Dr. Linda Lukasik, Environment Hamilton, respecting a proposed ban on local groundwater extraction for non-agricultural commercial activity, was approved, for the April 20, 2017 meeting.

(ii) David Bennett, Hamilton Chapter of the Council of Canadians, respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Added Item 4.2)

The delegation request from David Bennett, Hamilton Chapter of the Council of Canadians, respecting Ground Water Extraction for Commercial Water Bottling (BOH17011), was approved, for the April 20, 2017 meeting.

(iii) Jim Goetz, Canadian Beverage Association respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Added Item 4.3)

The delegation request from Jim Goetz, Canadian Beverage Association respecting Ground Water Extraction for Commercial Water Bottling (BOH17011), was approved, for the April 20, 2017 meeting.

(iv) Dave Cherkewski, Hamilton Chapter of the Council of Canadians respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Added Item 4.4)

The delegation request from Dave Cherkewski, Hamilton Chapter of the Council of Canadians, respecting Ground Water Extraction for Commercial Water Bottling (BOH17011), was approved, for the April 20, 2017 meeting.

(v) Students of St. Marguerite d'Youville respecting a ban on bottled water (Added Item 4.5)

The delegation request from the Students of St. Marguerite d'Youville respecting a ban on bottled water, was approved, for the April 20, 2017 meeting.

(e) DELEGATIONS (Item 6)

(i) Students of St. Marguerite d'Youville respecting a ban on bottled water (Added Item 6.9)

The following students of St. Marguerite d'Youville addressed the Board with a presentation respecting a ban on bottled water, and the measures taken at their school to reduce bottled water waste:

- Allison Williams
- Lauren Williams
- Alessia DiTomaso
- Francesca Agro
- Maia Melendez
- Jaiden Lucas
- Paulina Szczepanski
- Nevada Leeman

The presentation from the students of students of St. Marguerite d'Youville respecting a ban on bottled water, was received.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(ii) Jim Goetz, Canadian Beverage Association, respecting discussions at the Board of Health concerning sugar-sweetened beverages (approved at the August 11, 2016 Board of Health meeting) (Item 6.1)

Jim Goetz, President, Canadian Beverage Association, addressed the Board respecting respecting discussions at the Board of Health concerning sugar-sweetened beverages.

The presentation from Jim Goetz, Canadian Beverage Association, respecting discussions at the Board of Health concerning sugar-sweetened beverages, was received.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(iii) Chris McLaughlin, Bay Area Restoration Council (BARC) respecting Bayfront Beach (approved at the March 20, 2017 Board of Health meeting) (Item 6.4)

Chris McLaughlin, Bay Area Restoration Council (BARC) addressed the Board with a presentation respecting Suitability of Bayfront Beach as a Public Beach (BOH16008(a)).

The presentation from Chris McLaughlin, Bay Area Restoration Council (BARC) on Report BOH16008(a), respecting the Suitability of Bayfront Beach as a Public Beach, was received.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 4.

(iv) Reverend Edward J. Mahony, respecting a proposed ban on local water extraction (approved at the March 20, 2017 meeting) (Item 6.2)

Reverend Edward J. Mahony addressed the Board respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011).

The delegation from Reverend Edward J. Mahony respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011), was received.

For disposition of this matter, refer to Item 5.

(v) Dr. Linda Lukasik, Environment Hamilton, respecting round Water Extraction for Commercial Water Bottling (BOH17011) (Item 6.5)

Dr. Linda Lukasik, Environment Hamilton addressed the Board respecting her concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011).

The delegation from Dr. Linda Lukasik, Environment Hamilton respecting her concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011), was received.

The speaking notes are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 5.

(vi) David Bennett, Hamilton Chapter of the Council of Canadians respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Item 6.6)

David Bennett, Hamilton Chapter of the Council of Canadians addressed the Board respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011).

The delegation from David Bennett, Hamilton Chapter of the Council of Canadians respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011), was received.

The speaking notes are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 5.

(vii) Jim Goetz, Canadian Beverage Association respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Item 6.7)

Jim Goetz, Canadian Beverage Association addressed the Board respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011)

The delegation from Jim Goetz, Canadian Beverage Association respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011), was received.

The speaking notes are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 5.

(viii) Dave Cherkewski, Hamilton Chapter of the Council of Canadians respecting Ground Water Extraction for Commercial Water Bottling (BOH17011) (Item 6.8)

Dave Cherkewski, Hamilton Chapter of the Council of Canadians addressed the Board respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011).

The delegation from Dave Cherkewski, Hamilton Chapter of the Council of Canadians respecting his concerns with Ground Water Extraction for Commercial Water Bottling (BOH17011), was received.

The speaking notes are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 5.

(f) PRESENTATIONS (Item 7)

(i) Suitability of Bayfront Beach as a Public Beach (BOH16008(a)) (Item 7.1)

Ray Tufgar, P.Eng., VP and Branch Manager, AECOM, addressed the Board with a presentation respecting the Suitability of Bayfront Beach as a Public Beach (BOH16008(a)).

The presentation from Ray Tufgar, P.Eng., VP and Branch Manager, AECOM, on Report BOH16008(a), respecting the Suitability of Bayfront Beach as a Public Beach, was received.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, refer to Item 4.

(g) DISCUSSION ITEMS (Item 8)

(i) Ontario Public Health Standards Modernization – Board of Health Response (BOH17010(a)) (City Wide) (Item 8.1)

Staff were directed to prepare a letter to the Ministry of Health and Long-Term Care for submission by the Mayor on behalf of the Board of Health and Public Health Services as an official response to the Standards for Public Health Programs and Services, and that the letter address:

(i) Difficulty in assessing the full operational impact of the new Standards in absence of completed policies, protocols, guidance documents and annual service plan templates,

(ii) The need for a shared understanding of a population health approach across the health and social sector,

(iii) Time it will take for Public Health Staff and the Board of Health to work with community partners to meet the Standards,

(iv) The need to build capacity within public health and across community partners for how to use population health data to inform public health and health sector planning,

(v) Existing capacity, resource and funding challenges,

(vi) Request for continued consultation with local Public Health Units and Boards of Health in the development of new policies, protocols, guidance documents and annual service plan templates referenced in the new Standards, and

(vii) Request for ongoing communication and consultation to support broader health system transformation including the Expert Panel on Public Health, the Public Health Work Stream and the new Accountability Framework.

This item was ratified immediately after the Board of Health meeting, at a Special City Council Meeting.

For further disposition, refer to Council Minutes 17-007.

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Added Item 11.2)

The following amendments were made to the Outstanding Business List**:**

(i) Items to be removed:

Item J - Suitability of Bayfront Beach as a Public Beach, March 21, 2016 (Item 7.1 on this agenda)

Item K - Health Effects of Sugary Drinks and Hydration, June 13, 2016 (Item 5.2 on this agenda)

Item U - Proposed Extension of Outdoor Swimming Pool Hours and Free Admission (CES16050), December 5, 2016
(Letter sent February 3, 2017 from Community and Emergency Services)

Item AA - Legal Options respecting Banning Ground Water Extraction Council February 8, 2017, as part of General Issues Committee Report 17-003, Item 14 (Item 8.2 on this agenda)

Item BB - Corporate Entities, within the City of Hamilton Commercially Selling Bottled Tap Water
Council February 8, 2017, as part of General Issues Committee Report 17-003, Item 15 (Item 5.1 on this agenda)

(ii) Correspondence from Gail Krantzberg, McMaster University respecting a proposed ban on local water extraction (Added Item 11.3)

The correspondence from Gail Krantzberg, McMaster University respecting a proposed ban on local water extraction, was received.

(i) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Board of Health Interview Sub-Committee Report 17-001 - March 27, 2017

The Board determined that no discussion was required on Item 12.1 (being Report 17-001 of the Interview Sub-committee of the Board of Health), so the Report was approved in Open Session.

For disposition of this matter, refer to Item 9.

(j) ADJOURNMENT (Item 13)

There being no further business, the Board of Health adjourned at 4:20 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk