

**REPORT NO. 119 of the
SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held October 10, 2012

Present: Councillor Fulvio Valentinis
Councillor Ed Sleiman
Councillor Jo-Anne Gignac

Absent: Councillor Alan Halberstadt
Councillor Percy Hatfield

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Valentinis,
THAT the request from the Greater Essex County District School Board for an agreement for the provision of lifeguard services for school programs for the 2012-2013 school year at full cost recovery, **BE APPROVED** and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in financial content to the City Treasurer, in technical content to the Executive Director of Recreation and Culture and in form to the City Solicitor; and

THAT in instances where the Corporation provides a service Administration **BE DIRECTED** to review the Risk Analysis Policy across the Corporation.

Carried.

Clerk's Note: The administrative report authored by the Executive Director of Recreation and Culture dated September 10, 2012 entitled "Service Agreement with Greater Essex County District School Board" is attached as background information.

LIVELINK #16155, ME/11572



ACTING CHAIRPERSON



DEPUTY CITY CLERK

NOTIFICATION:		
Name	Address	Email

THE CORPORATION OF THE CITY OF WINDSOR
Social Development, Health and Culture Standing Committee-
Administrative Report

**MISSION STATEMENT:**

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLink REPORT #: 16155 ME/11572	Report Date: September 10, 2012
Author's Name: Jan Wilson	Date to Standing Committee: October 10, 2012
Author's Phone: 519 253-2300 ext. 2701	Classification #:
Author's E-mail: jwilson@city.windsor.on.ca	

To: Social Development, Health and Culture Standing Committee

Subject: Service Agreement with Greater Essex County District School Board

P&R 12-134

1. RECOMMENDATION: City Wide: _____ Ward(s): _____

That the request from the Greater Essex County District School Board for an agreement for the provision of lifeguard services for school programs for the 2012 – 2013 school year at full cost recovery, **BE APPROVED** and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in financial content to the City Treasurer, in technical content to the Executive Director of Recreation and Culture and in form to the City Solicitor.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

The Greater Essex County District School Board (GECDSB) has identified a need to contract lifeguard services to meet regulations of the Lifesaving Society and the Board of Health requiring certified staff at the appropriate ratios for participants within their physical education classes in the swim component. Staff in the Recreation and Culture Department were contacted near the end of the last school year to see if we could assist with the provision of lifeguards. The Department provided short term assistance by identifying available staff for the scheduled times that were required.

On September 4, 2012, the GECDSB contacted the Recreation and Culture Department requesting that the Department enter into an agreement to provide the service for the full school year as they were extremely satisfied with the assistance previously provided.

3. DISCUSSION:

The GECDSB submitted a draft agreement that is standard for their contracting of this type of service. The agreement would require that the GECDSB pay the full direct and indirect cost of providing this service. This includes the wages, benefits, and administrative cost of scheduling the staff as required. There is also a cancellation clause with a minimum fourteen days notice to the Board. The city's legal department has reviewed the agreement and has made some recommended changes, to which the GECDSB has agreed.

The GECDSB has indicated that the service is required at two school locations. The swim component is scheduled periodically throughout the school term within the physical education classes. During the times that the swim component is scheduled, one to two lifeguards are required at each school location.

The City of Windsor and the GECDSB have been long-term partners on several initiatives including joint use agreements for the sharing of space, and most recently the healthy, active living commitment, In Sport We Are One, as a legacy project for the International Children's Games. A benefit to the Corporation is the opportunity to promote recreation programs to the students, traditionally a very hard target group to reach.

4. RISK ANALYSIS:

Contracting the service for the provision of lifeguards does carry some risk with respect to potential injury to the staff that the City would be responsible for under WSIB, as well as the inherent potential liability of the City and its staff when providing lifeguarding services. The number of staff required is relatively small and is scheduled periodically throughout the school year. The City staff involved are trained lifeguards who are qualified to carry out the job. The agreement includes indemnity clauses for both parties that require each party to indemnify one another in the event that a loss arises from one of the parties' negligence.

5. FINANCIAL MATTERS:

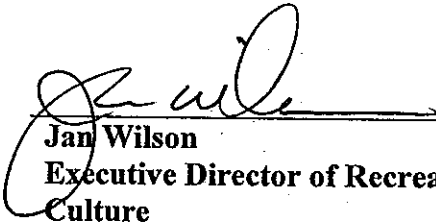
There is no cost to the corporation for the provision of this service. The agreement includes a fee for service that incorporates the direct labour costs, as well as additional administrative costs. The remuneration is based on an hourly rate that is approximately 65% above the base wage (base wage is \$18.14 per hour, fee is \$30.00 per hour). Pending confirmation of the final schedule, it is estimated that the total value of the agreement is approximately \$15,000.00.


6. CONSULTATIONS:

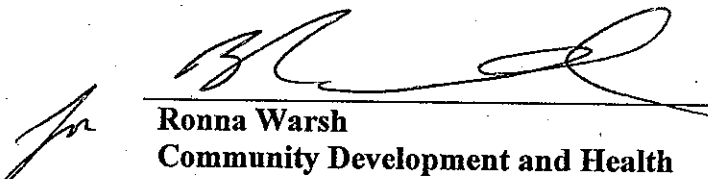
Carolanne Smith, Manager of Community Programming
Cheryl Glassford, Legal
Dana Paladino, Risk Management
Val Clifford, Financial Planning Administrator

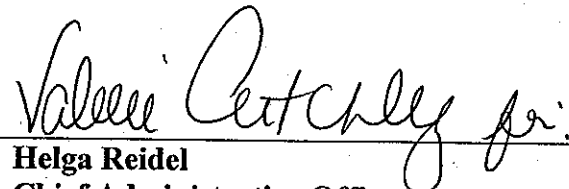
7. CONCLUSION:

The agreement requested by the GECDSB to provide lifeguard services would fulfill a need of the school board and continue the positive relationship between the city and a community partner.


Jan Wilson
Executive Director of Recreation and Culture


George Wilkki
City Solicitor and Corporate Leader
Economic Development and Public Safety


Ronna Warsh
Community Development and Health
Commissioner and Corporate Leader
Social Development, Health, Recreation
and Culture


Helga Reidel
Chief Administrative Officer

JW/ch

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:
Name:
Phone #: 519 ext.

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX

