



Public Service Committee as Committee of Management for the Elliott

Council Chambers, City Hall, 1 Carden Street

February 5, 2015 3:30 p.m.

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

CONFIRMATION OF PROCEEDINGS FROM PREVIOUS COMMITTEE OF MANAGEMENT FOR THE ELLIOTT MEETINGS

- January 26, 2015 open meeting minutes (to be distributed prior to meeting)

CONSENT AGENDA

"The attached resolutions have been prepared to facilitate Committee's consideration of the various matters and are suggested for consideration. If Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda can be approved in one resolution."

COMMITTEE OF MANAGEMENT CONSENT AGENDA			
ITEM	CITY PRESENTATION	DELEGATIONS (maximum of 5 minutes)	TO BE EXTRACTED
CME-2015.1 Implementation of The Elliott Long-Term Care Residence as the City of Guelph's Municipal Home			

Resolution to adopt the balance of the Committee of Management Consent Agenda.

ITEMS EXTRACTED FROM CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

ADJOURNMENT

**COMMITTEE OF MANAGEMENT FOR THE ELLIOTT
CONSENT AGENDA**

February 5, 2015

Members of Public Service Committee as Committee of Management for the Elliott.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Committee's consideration of the various matters and are suggested for consideration. If Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A REPORTS

REPORT	DIRECTION
<p>CME-2015.1 Implementation of The Elliott Long-Term Care Residence as the City of Guelph's Municipal Home</p> <ol style="list-style-type: none">1. That the Terms of Reference for the Committee of Management, be approved; and2. That a recommendation be made to City Council that The Elliott Long-Term Care Residence operating budget of \$1,136,900 for the period of February 1 to December 31, 2015, be approved; and3. That a recommendation be made to City Council that The Elliott Long-Term Care Residence capital budget of \$194,300 for the period of February 1 to December 31, 2015, be approved; and4. That the current Administrator be appointed as Administrator of The Elliott Long-Term Care Residence; and5. That the Long-Term Services Agreement between the City and The Elliott be received for information.	Approve

attach.

TO Committee of Management

SERVICE AREA Public Services – Community Engagement and Social Services

DATE February 5, 2015

**SUBJECT Implementation of The Elliott Long-Term Care Residence
as the City of Guelph’s Municipal Home**

REPORT NUMBER CME-2015-01

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide the Committee of Management with information regarding:

- 1) The mandate of the Committee of Management through approval of its Terms of Reference;
- 2) The requirement to receive and recommend to Council the 2015 operating and capital budgets for The Elliott Long-Term Care Residence (Elliott LTCR); and
- 3) The approval of the Administrator of The Elliott LTCR as required under the *Long Term Care Homes Act, 2007, (LTCHA, 2007)*;
- 4) The final version of the Long-Term Care Services Agreement between the City and The Elliott for the management of the Elliott LTCR.

KEY FINDINGS

The Terms of Reference for the Committee of Management reflects the legislative requirements as noted in *LTCHA, 2007* and the unique nature of the relationship that exists between the Corporation of the City of Guelph and The Elliott.

The 2015 operating and capital budgets reflect the funds required to provide the service in compliance with the *LTCHA, 2007*. The budgets were developed based on a review of The Elliott’s historical financial trends and forecasts and updated from the *Strategy for the Municipal Approval of The Elliott Long-Term Care Residence #CON-2014.20*, approved on March 31, 2014. The 2015 operating and capital budgets reflect an increase of approximately \$150,000 from the responsibilities for financial support of the previous relationship with the County of Wellington regarding the operation of the Wellington Terrace Long-Term Care Home.

The Administrator of The Elliott LTCR is an experienced and qualified individual meeting the professional requirements as set out in the *LTCHA, 2007*.

FINANCIAL IMPLICATIONS

The 2015 operating and capital budgets for The Elliott LTCR require a municipal contribution of \$1,136,900 and \$194,300 respectfully. This represents an 11/12th contribution as the City is obligated to provide funding to the County of Wellington, respecting the Wellington Terrace Long-Term Care Home for January 2015 at a cost of approximately \$108,000.

ACTION REQUIRED

To approve the Terms of Reference and appointment of the Administrator consistent with the Committee of Management's oversight responsibilities for The Elliott LTCR that begin on February 1, 2015.

To recommend to Council the approval of The Elliott LTCR 2015 operating and capital budgets.

RECOMMENDATION

1. THAT the Terms of Reference for the Committee of Management be approved
2. THAT a recommendation be made to City Council that The Elliott Long-Term Care Residence operating budget of \$1,136,900 for the period of February 1 to December 31, 2015 be approved
3. THAT a recommendation be made to City Council that The Elliott Long-Term Care Residence capital budget of \$194,300 for the period of February 1 to December 31, 2015 be approved
4. THAT the current Administrator be appointed as Administrator of The Elliott Long-Term Care Residence
5. THAT the Long-Term Services Agreement between the City and The Elliott be received for information

BACKGROUND

The City is legally required to be involved in the provision of residential long-term care home services. In partnership with The Elliott, the City developed a strategy which outlined the process for and implications of seeking the Minister's approval for the City to operate The Elliott LTCR as its municipal home. The strategy addressed the requirements of the *LTCHA, 2007*, related legislation(s) and key stakeholders, including the Ministry of Health and Long-Term Care (Ministry), The Elliott and the City.

On March 31, 2014, City Council approved Council Report: *Strategy for the Municipal Approval of The Elliott Long-Term Care Residence #CON-2014.20* to change the City's approved municipal home from Wellington Terrace (owned and operated by County of Wellington) to The Elliott. At that time, Council directed staff "to implement the strategy and have The Elliott Long-Term Care Residence approved by the Minister of Health and Long-Term Care as the City of Guelph's municipal home". The implementation of the strategy included:

- A by-law confirming that the City will be establishing and maintaining a long-term care home by taking over the operation of The Elliott's Long-Term Care Residence;
- The Delegation of Authority By-law for The Elliott's Board of Trustees to manage the operations of the long-term care residence as the City's municipal home;
- Amending the City's Procedural By-law (2012) to establish a Committee of Management to provide governance oversight to the Municipal Home;
- A Services Agreement between the City and The Elliott to outline the operational accountabilities of each party including funding; and
- The development of the 2015 operating and capital budgets.

On July 31, 2014, the City received approval from the Ministry for The Elliott LTCR to operate as the City's municipal long-term care home. The approval takes effect as of February 1, 2015, which means that as of February 1, 2015, The Elliott LTCR will become the City's municipal home. The City's Purchase of Service Agreement with the County of Wellington for the operation of Wellington Terrace will end as of January 31, 2015. Concurrently, the City's Services Agreement with The Elliott will take effect (see ATT-1).

The Elliott is a charitable corporation which operates retirement living suites and life-lease suites, in addition to the long-term care residence. The Elliott is a local board of the City as established by *The Elliott Act, 2002*. All areas of operation are overseen by a Board of Trustees appointed by City Council. The Minister's approval and the City's oversight are limited to the long-term care area of The Elliott's operations.

The Elliott Long-Term Care Residence Budget for 2015

The operations of any long term care home in Ontario is funded according to a provincially applied base level of care envelope model under the *LTCHA, 2007* regulations. This base level of care is determined through a complex calculation of care acuity assessed for each resident in the long-term care residence. The MOHLTC requires that all qualified expenditures must fall into four funding envelopes:

- Nursing and Personal Care
- Program and Support Services
- Raw Food
- Other Accommodation

The Other Accommodation envelope covers costs that are related to indirect resident care: housekeeping, maintenance, dietary, facility costs and administration. The operational review identified the significant challenges faced by long-term care homes in managing their other accommodation envelope with less than 96 beds, as it is with this number of beds that homes can achieve economies of scale in their operations. The Elliott LTCR has 85 approved beds. These beds have been approved by the Ministry and no additional beds have been approved in the recent past, nor forecasted in the foreseeable future. Long-term care homes are also required to maintain a 97% occupancy rate to receive their full funding allocation. However, admissions to long-term care homes are managed on a regional basis by the Community Care Access Centre and not by the individual home. This context presents an ongoing challenge in the management of long-term care home budgets.

The Council approved report (#CON-2014.20) included a Building Condition Assessment and an Operational Review of The Elliott LTCR as well as an analysis of The Elliott's finances. The report also provided for a financial allocation methodology that would ensure that the municipal obligation only extended to the agreed upon operations relating to the long-term care, as The Elliott also operates both a retirement and life-lease residence.

The report noted that “the City’s total cost to support the Elliott Long-Term Care residence (operating and capita)l was forecasted to be in the range of \$1.2 million annually”.

REPORT

Committee of Management

The *Long-Term Care Homes Act, 2007, S.O. 2007* requires that a municipality, approved to operate a long-term care home, form a Committee of Management composed of members of Council to oversee the responsibilities of the home. On August 25, 2014, Council passed the *Delegation of Authority By-law number (2014) – 19796* which establishes Community and Social Services (now Public Services) Committee as the Committee of Management.

The Committee of Management will provide oversight of the management and operation of The Elliott LTCH and is responsible to fulfill the duty of care set out in s.69 of the *LTCHA, 2007*. The Delegation of Authority By-law authorizes the Committee of Management to make decisions and give necessary directions to fulfill the duty of care. The Committee of Management’s responsibilities are limited to The Elliott LTCH. The other areas of The Elliott’s operations are the responsibility of The Elliott’s Board of Trustees.

The Terms of Reference define the Committee of Management’s:

- Purpose
- Composition
- Term
- Frequency of meetings
- Meeting protocols
- Responsibilities
- Reporting structure and staff resources
- Related legislations, by-laws and agreements

The Committee of Management’s Terms of Reference are attached (ATT-2).

The Elliott Long-Term Care Residence Budget for 2015

The Elliott LTCR operating and capital budgets for 2015 (ATT-3 and ATT-4) reflect the operations for a full 12-month period. As the City's approval commences February 1, 2015, the amount of \$1,240,226 representing the City's municipal contribution would be reduced for 2015 to \$1,136,900 for the 11 month period. The City's annual capital contribution is \$212,000, as supported by the Building Condition Assessment. The 2015 capital budget would be 11/12 of this amount with any unspent funds being flowed to an interest-bearing capital reserve.

Subsequent operating and capital budgets would reflect a full 12 month calendar period commencing January 1, 2016 and thereafter.

The increase in the 2015 budget request over the forecasted budget approved by Council relates to funding at a sustainable level in order to avoid significant funding increases in the future.

The operating and capital budgets are based on the following considerations.

- Development of a Funding Formula where the City of Guelph's municipal contributions, in current and succeeding years, is limited to the deficiency of Ministry funding for the Other Accommodation envelope. The Other Accommodation's envelope is a stable predictable number year over year.
- Assurances that expenditures above the Ministry funded envelopes of Nursing and Personal Care, Program and Support Services, and Raw Food are to be absorbed by the remaining operations of The Elliott and not be flowed through for municipal support. By selecting the funding formula based on the overages in the Other Accommodation envelope, this forces efficiency within the other three envelopes and is subject to audit, as it is reported on the Annual Reconciliation Report submitted to the Ministry.
- Confirmation that the approved expenditure allocation model, previously presented to City Council, has been applied for this budget process. Any changes to this model will be brought to the Committee of Management's attention along with implications.
- Identification of capital improvements as identified by the Building Condition Assessment, previously reported to City Council, relate solely to the operation of The Elliott LTCR.
- Projections of future operations to assess municipal funding requirements to ensure that the obligations for the City of Guelph would be in keeping with expected inflationary increases and should not provide significant and unexpected increases.

Appointment of Administrator

The *LTCHA, 2007* requires that each home has an Administrator who is in charge of the long-term care home and responsible for the home's management. The *LTCHA, 2007* Regulations further stipulates additional credentials of the Administrator such as:

- Post-secondary degree or diploma
- Managerial experience
- Leadership and communication skills
- Successful completion of a long-term care home administration program.

The current Administrator has held the position at The Elliott LTCR for a number of years and meets the requirements for the position.

ATTACHMENTS

- ATT-1: Long-Term Care Services Agreement
ATT-2: Committee of Management Terms of Reference
ATT-3: The Elliott Long-Term Care Residence 2015 Draft Operating Budget
ATT-4: The Elliott Long-Term Care Residence 2015 Draft Capital Budget

Report Author

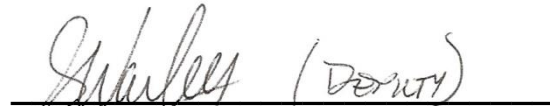
Barbara Powell
General Manager, Community
Engagement and Social Services
Public Services

Trevor Lee
Chief Executive Officer
The Elliott

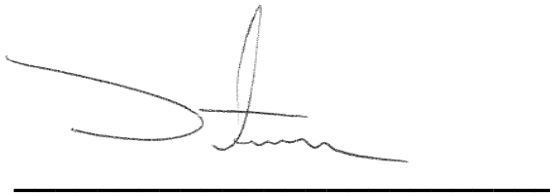
Donna Jaques
General Manager, Legal Services
City Solicitor
Corporate Services

Jade Surgeoner
Manager, Financial Reporting
and Accounting
Corporate Services

Karen Kawakami
Social Services Program and Policy Liaison
Public Services



Recommended By
Randall Wilson
Board Chair
The Elliott Community



Recommended By
Derrick Thomson
Deputy CAO
Public Services
519-822-1260 ext. 2665
derrick.thomson@guelph.ca

CME-2015-01 ATT-1

LONG-TERM CARE SERVICES AGREEMENT

THIS AGREEMENT made this ____ day of _____, 2015

B E T W E E N:

THE CORPORATION OF THE CITY OF GUELPH

("City")

- and -

THE ELLIOTT

("The Elliott")

WHEREAS:

1. The City has been approved by the Ministry of Health and Long-Term Care to establish and maintain, as its municipal home, the 85 bed long-term care home operated as The Elliott Long-Term Care Residence;
2. The Council of the City of Guelph has delegated its authority for the management and operation of the home to the Board of Trustees of The Elliott, a local board of the City, in By-law No. (2014) – 19796 and,
3. The provisions of the By-law require the City and The Elliott to enter into a Long-Term Care Services Agreement setting out the details of the relationship between the City and The Elliott for the operation of the home.

NOW THEREFORE in consideration of the mutual covenants of the parties, the parties agree as follows:

DEFINITIONS:

1. In this agreement,
 - (a) "Administrator" means the administrator of The Elliott Long-Term Care Residence required under section 70 of the LTCHA, as appointed by the Board of Trustees of The Elliott and approved by the Committee of Management;

- (b) "Board of Trustees" means the Board of Trustees of The Elliott;
- (c) "Business Plan" means a high level qualitative and quantitative expression of (1) estimated revenues and (2) operating and capital expenditures expected to be earned or incurred over a number of future accounting periods, estimated on a reasonable efforts basis, intended only as an approximate forecast to future financial requirements;
- (d) "Committee of Management" means the Committee of Management of The Elliott Long-Term Care Residence, the body required to be created pursuant to section 132 of the LTCHA;
- (e) "Council" means the Council of the Corporation of the City of Guelph;
- (f) "PS Committee" means the Public Services Committee of the Council of the City of Guelph;
- (g) "Delegated Authority" means the delegation of rights and obligations set out in section 13 of the Elliott Delegation of Authority By-Law;
- (h) "LTCHA" means the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8;
- (i) "L-SAA" means the Long-Term Care Home Service Accountability Agreement between the City and The Elliott and the Waterloo-Wellington Local Health Integration Network;
- (j) "Ministry" means the Ministry of Health and Long-Term Care and "Minister" has a corresponding meaning;
- (k) "Services" means the operation of a long-term care home and related services, but does not include the operation of a retirement or life-lease residence;

- (l) "Strategic Plan" means a plan setting forth for a number of future periods representing the organization's vision, mission, values and strategy of resource utilization to successfully execute and achieve its vision;
- (m) "The Elliott" means the corporation established by *The Elliott Act*, 2002, S.O. 2002, c. Pr7 – Bill Pr9, being a local board of the City of Guelph;
- (n) "The Elliott Delegation of Authority By-law" means By-law No. (2014) – 19796 passed by the Council of the City of Guelph on March 31, 2014; and,
- (o) "The Elliott Long-Term Care Residence" means the 85 bed long-term care home operated by The Elliott.

RESPONSIBILITIES OF THE ELLIOTT

- 2. The Elliott hereby agrees to provide the Services necessary for the operation of The Elliott Long-Term Care Residence in accordance with the LTCHA and the Regulations and the policies and standards established by the Ministry and the L-SAA.
- 3. The Board of Trustees shall,
 - (a) Comply with all provisions of the *Municipal Act* relating to local boards;
 - (b) Comply with all provisions of the *Elliott Act*;
 - (c) Comply with all provisions of the LTCHA, including, fulfilling the obligations under section 69;
 - (d) Comply with all laws, regulations, policies and orders made by any level of government which relate to the operation of The Elliott Long Term Care Residence;
 - (e) Comply with all provisions in the Elliott Delegation of Authority By-law; and,
 - (f) Develop a Business Plan and Strategic Plan for The Elliott Long Term Care Residence.

4. The Board of Trustees shall be responsible for making decisions and providing direction to the senior leadership team of The Elliott Long-Term Care Residence, on matters which are within their Delegated Authority to manage the operations of The Elliott Long-Term Care Residence.
5. The Board of Trustees shall make recommendations to, and obtain direction from, the Committee of Management in relation to those matters set out in section 10.

RESPONSIBILITIES OF THE CITY

6. The City, during the term of this agreement, shall hold a valid and unconditional municipal approval for the operation of The Elliott Long-Term Care Residence issued by the Minister.
7. The City shall:
 - (a) Provide support services for the Committee of Management;
 - (b) Provide funding as approved by Council to support the operations of The Elliott Long-Term Care Residence; and,
 - (c) Appoint a City staff person to be the liaison between the City and Board of Trustees and Administrator ("Staff Liaison").
8. The Staff Liaison shall attend meetings of the Board of Trustees or its Committees upon request by the Board of Trustees and provide information to the Board of Trustees as requested.
9. The Staff Liaison, at the direction of the City or the Committee of Management, may request to attend meetings of the Board of Trustees or its Committees.

RESPONSIBILITIES OF THE COMMITTEE OF MANAGEMENT

10. The Committee of Management shall be responsible for making decisions and providing directions to the Board of Trustees to fulfill its duty of care under the LTCHA, which decisions shall include, but not be limited to:
 - (a) Establishment of service levels;

- (b) Approval of the Administrator appointed by the Board of Trustees;
- (c) Review and recommendation of The Elliott Long-Term Care Residence's Budget submission to Council;
- (d) Receive the Business Plan and Strategic Plan for The Elliott Long-Term Care Residence; and,
- (e) Any other matter the Committee determines is within its mandate.

TERM

- 11. This agreement will be in force from February 1, 2015, until it is superseded or replaced by a subsequent agreement or until it is terminated in its entirety by either party.

PROGRAM RECORDS AND REPORTS

- 12. The Elliott will maintain service records as required by the Ministry or any other regulatory authority.

FINANCIAL RECORDS AND REPORTS

- 13. The Elliott will maintain financial records and books of accounting respecting the operation of The Elliott Long-Term Care Residence and will allow City staff or such other persons appointed by the City to inspect and audit or review such books and records at all reasonable times both during the term of this agreement and subsequent to its expiration or termination.
- 14. The Elliott will retain the records and books of account referred to in section 13 for a period of not less than six (6) years.

FUNDING

- 15. All funding received by the City from the Ministry for the operation of The Elliott Long-Term Care Residence shall be transferred to The Elliott, except such amounts as are mutually agreed to be

withheld by the City in compensation for City costs relating to the provision of the Services.

16. All funding approved by City Council for the operation of The Elliott Long-Term Care Residence shall be transferred to The Elliott on a mutually agreed upon schedule.

ANNUAL BUDGET

17. The Elliott shall prepare and submit to the City a budget of its estimated revenues and expenditures for the operation, including for capital, of the Services for the next fiscal year, by the date and in such form and detail as required by the Treasurer of the City.
18. The Elliott shall present its budget to the Committee of Management for review. The Committee of Management shall make such recommendation regarding the budget as it considers appropriate to Council.
19. The Elliott shall attend before Council to present its budget and provide such additional information as requested by Council or the Treasurer.

ALLOCATION OF INDIRECT COSTS

20. The Elliott will allocate corporately incurred indirect costs to the operation of The Elliott Long-Term Care Residence in accordance with the mutually agreed upon Indirect Cost Allocation Schedule.
21. The external auditor of The Elliott may, at the discretion of the Committee of Management, be engaged to review and issue an opinion to the City on the compliance by The Elliott with the Indirect Cost Allocation Schedule, the cost of which shall be incurred by the City.

RESERVES

22. The Elliott is responsible for maintaining reserves for both the operating and capital needs of The Elliott Long-Term Care

Residence. The continuity of such reserves shall be reported to the City within the required quarterly reporting.

23. Both parties anticipate that it will be only in extraordinary circumstances that The Elliott would require financial assistance from the City external from the annual budget process.

SHARED SERVICES

24. The Elliott and the City shall discuss sharing services where appropriate to create efficiencies in the operation of The Elliott Long Term Care Residence.

QUARTERLY REPORTING

25. The Elliott shall provide a report to the Committee of Management on a quarterly basis containing the following information:
 - (a) All material information on operations related to the Services;
 - (b) Financial reports relating to provision of the Services, including quarterly variance reports, reconciliations with base funding; and the explanations and mitigation measures being implemented;
 - (c) Disclosure of any conflicts of interest of any Board of Trustee member or employee of The Elliott who is providing Services;
 - (d) Any requests for information under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.58;
 - (e) The existence and status of any litigation, potential litigation or claim (insured or uninsured) of any kind;
 - (f) Any complaints to any regulatory body, such as the College of Nurses, regarding any employees providing the Services and the outcomes of such complaints;
 - (g) Any inspections and investigations by the Ministry and the outcome of such inspections and investigations;

- (h) Any new directives or policies from the Ministry impacting the Services;
- (i) A summary of the issues the Board of Trustees is addressing which relate to The Elliott Long-Term Care Residence; and,
- (j) Any other matters which, in the opinion of the Chair of the Board of Trustees, require direction from or a decision of the Committee of Management or which the Committee of Management has requested that the Board of Trustees provide a report.

ANNUAL REPORT

26. The Elliott will provide an annual report to the Committee of Management prior to June 30 of each year which shall include:

- (a) An update on the Strategic Plan of The Elliott;
- (b) The strategic objectives of The Elliott and performance measurements;
- (c) A report on any material deviations from The Elliott Business Plan in the previous year;
- (d) A report on major business developments or significant results;
- (e) A report on compensation disclosure and analysis for senior leadership and the Board of Trustees for the previous year.
- (f) Confirmation from the Board of Trustees that as of the end of the previous financial year, The Elliott has complied with the requirements of this service agreement and is in compliance with applicable laws;
- (g) Any other information the Board of Trustee wants to present or the Committee of Management requests.

Some or all of the contents of this report may be confidential and may be presented to the Committee of Management in a closed session meeting.

27. Within 30 days following presentation of the annual report to the Committee of Management, the annual report shall be provided by the Committee to Council for information.

CONFIDENTIALITY

28. The Elliott shall ensure that all personal information or personal health information in its custody or under its control is managed in accordance with the provisions of the LTCHA and its regulations, the *Municipal Freedom of Information and Protection of Privacy Act*, and its regulations, and the *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A and its regulations and any other applicable legislation.
29. The City shall ensure that all personal information or personal health information in its custody or under its control in connection with the Services and this agreement is managed in accordance with applicable legislation.

COMMUNICATIONS

30. The Elliott shall advise the City in a timely manner of any interviews, press releases or other media communications relating to The Elliott Long-Term Care Residence.
31. Despite section 26, The Elliott shall consult with the City in advance of any significant media communication which has a material impact on The Elliott Long-Term Care Residence.
32. The Elliott and the City, in consultation with the LHIN, shall develop a communication protocol for communications amongst The Elliott, the City and the LHIN.

INSURANCE

33. The Elliott shall establish appropriate insurance coverage for its operations and obligations under this agreement, either independently or in conjunction with the City's insurance coverage, whichever may be more cost-effective. The City shall be added as additional insured to The Elliott's coverage. The Elliott shall supply confirmation of insurance coverage annually upon renewal of the policy.

34. The parties hereby indemnify the other from any actions, claims, damages or costs incurred by one party as a result of the negligent acts or omissions of the other party in relation to the Services to be provided under this agreement.

DISPUTE RESOLUTION

35. In the event that there is a dispute between the City and The Elliott with regard to a matter relating to The Elliott Long-Term Care Residence,
- a. The Chair of the Elliott Board of Trustees, or designate, and the Deputy Chief Administrative Officer of Public Services shall discuss and work toward a mutually agreeable solution.
 - b. If both parties are unable to reach a resolution, the issue shall be presented to the Committee of Management for decision.

AMENDMENTS

36. This agreement may be amended by mutual agreement of the parties in writing.

SEVERABILITY

37. If any of the provisions of this agreement is found by a court of competent jurisdiction to be void, illegal, unenforceable, or beyond the competence of the parties or either of them to enact, it shall be severed from this agreement, and all other provisions of this agreement shall remain in effect.

NOTICE

38. Any notice or other communication to be given under or pursuant to the provisions of this agreement or in any way concerning the same shall be sufficiently given if in writing and delivered personally or mailed by prepaid registered letter addressed to it at the following address:

The Elliott
170 Metcalfe Street
Guelph, ON N1E 4Y3
Attention: Board of Trustees

The Corporation of the City of Guelph
1 Carden Street
Guelph, ON N1H 3A1
Attention: Deputy Chief Administrative Officer of Public Services

SUCCESSORS

39. This agreement shall be binding on and endure to the benefit of the parties and their respective successors, administrators and assigns.

IN WITNESS WHEREOF these parties have hereunto set their hands and seals.

DATED AND SIGNED
at Guelph this ___ day of
January 2015.

THE CORPORATION OF THE
CITY OF GUELPH

Name: Derrick Thompson,
Deputy Chief Administrative
Officer of Public Services

I have authority to bind the Corporation.

DATED AND SIGNED
at Guelph this ___ day of
January 2015.

THE ELLIOTT

Name: Trevor Lee,
Chief Executive Officer

I have authority to bind the Corporation.

**The Elliott Community
2014 Budget & 2015/16 Preliminary Budgets
Facility Allocation Methods for Indirect Costs**

Indirect Cost:		Cost Allocation:		
Department / Function	Specific Position / Cost	Basis	LTC	RET/LL
Administrative Personnel	Chief Executive Officer	Workload	15%	85%
	Executive Assistant; CQI; Reception	Workload	60%	40%
Human Resources; payroll; pension and benefits administration; health and safety; and accessibility; staff programs/events				
		# Staff	60%	40%
Environmental Services Personnel	Finance; accounts payable/accounts receivable; general accounting; purchasing; budgeting; financial reporting, analysis, and planning	Workload	60%	40%
	Marketing Coordinator	Workload	0%	100%
	Director	Workload	55%	45%
	Maintenance Supervisor	Workload	50%	50%
Food Services Personnel	Director/Administrative	Workload	60%	40%
	Dietary Staff (Ordering/Receiving/Cleaning)	# Residents	40%	60%
Information Technology Resources	Network/Hardware/Software/Support	# Staff	60%	40%
	Insurance - All	Sq. Footage	32%	69%
Corporate / Building / Occupancy Costs	Legal Services (depends on issue)	# Residents OR # Staff	40% OR 60%	60% OR 40%
	Corporate Communications / Advertising (depends on message)	# Residents OR # Staff	40% OR 60%	60% OR 40%
	Postage/Telephone/Office Supplies	Admin %	60%	40%
	Bank Fees & Interest	Admin %	60%	40%
	Board of Trustees	Admin %	60%	40%
	Facility & Building Maintenance - All	Sq. Footage	32%	69%
	Utilities - Elliott Building (#170)	Sq. Footage	63%	37%
	Amortization & Financing Fees - New Main Building (Phase I, II, III)	Sq. Ft / \$ Cost	60%	40%

D. Hillier-Stoltz

5-Mar-14

O:\City of Guelph\Municipal Designation\Indirect Cost Allocation Methodology.xlsx

TERMS OF REFERENCE

COMMITTEE OF MANAGEMENT FOR THE ELLIOTT LONG-TERM CARE RESIDENCE

BACKGROUND

The Elliott is a charitable corporation established in 1907. The Elliott operates retirement living suites and life lease suites in addition to the long-term care residence and is a local board of the City of Guelph pursuant to *The Elliott Act, 2002, S.O. 2002, c. Pr7 – Bill Pr9*. As a local board, The Elliott reports through to the Public Services Committee.

The Minister of Health and Long-Term Care approved and granted the Corporation of the City of Guelph to operate 85 bed long-term care beds at The Elliott Long-Term Care Residence effective February 1, 2015.

PURPOSE

Pursuant to section 119 (1) of the *Long-Term Care Homes Act, 2007, S.O. 2007, c.8 (LTCHA)*, every southern municipality that is a single-tier municipality shall establish and maintain a municipal home. The Committee of Management (Committee) is the body required to be created to oversee the municipal home pursuant to section 132 of the LTCHA.

COMPOSITION

The Committee shall be composed of all the members of the Public Services (PS) Committee of the Council of the City of Guelph (City Council). Any changes in the composition of the members of the PS Committee shall also be changes to the composition of the Committee of Management.

The Chair of the PS Committee will be the Chair of the Committee of Management.

TERM

The term of each member of the Committee shall be the term of each member's appointment to the PS Committee.

FREQUENCY OF MEETINGS

The Committee will meet, at a minimum, on a quarterly basis. Meetings may be held more frequently as agreed upon by the Deputy Chief Administrative Officer of Public Services (Deputy CAO) and the Chair of the Committee of Management (Committee Chair), in consultation with The Elliott Board of Trustees.

MEETING PROTOCOLS

During PS Committee meetings, a motion by a member of the PS Committee will initiate the transition from PS Committee to the Committee of Management.

The Committee will follow the protocols established in City of Guelph Procedural By-law as passed by Council from time to time:

1. Public notice of meetings
2. Closed meetings
3. Disclosure of pecuniary interest
4. Minutes
5. Presentation
6. Delegations
7. Consent reports
8. Consent agenda
9. Conduct of members
10. Points or order or privilege
11. Motions and order of putting questions in Council and Committee
12. Voting
13. Reconsideration of a Council decision
14. Announcements
15. Notice of motions and special resolutions
16. Addendum agenda
17. Adjournment

RESPONSIBILITIES

The Committee provides oversight of the management and operation of The Elliott Long-Term Care Residence. The Committee is responsible to fulfill the duty of care set out in s.69 of the LTCHA and the responsibilities established by Council in the Delegation of Authority By-law number (2014) – 19796, both of which are reflected in the Long-Term Care Services Agreement (Services Agreement) between the City of Guelph and The Elliott. The Services Agreement will be reviewed and revised on a periodic basis.

On an annual basis, the Committee will receive and review the budget for The Elliott Long-Term Care Residence and provide a recommendation to City Council to adopt the budget.

The oversight responsibilities of the Committee are limited to The Elliott Long-Term Care Residence only. The other areas of The Elliott's operations, including the retirement suites and life lease suites, are under the purview of The Elliott Board of Trustees.

Medical information about a specific resident is protected by the *Personal Health Information Protection Act, 2004*, S.O 2004, chapter 3 Schedule A (PHIPA). Any concerns regarding the care and treatment of a specific resident will follow the established complaints process. Aggregate data may be discussed by the Committee.

REPORTING STRUCTURE AND STAFF RESOURCES

The Elliott's Board of Trustees will make recommendations to the Committee pertaining to the Committee's responsibilities. The Chair of the Board of Trustees (Board Chair) and Chief Executive Officer (CEO), as representatives of The Elliott, will provide support to the Committee. The Elliott

representative(s) will attend committee meetings as a subject matter expert on the operations of the long-term care home and provide direct response to questions raised by Committee members.

The Deputy CAO is responsible to:

1. In collaboration with The Elliott CEO and/or Board Chair and the City Clerk, work with the Committee Chair to develop meeting agendas, which includes delegations, sequence and flow and timing
2. Ensure the timely submission of all agenda related materials to the City Clerk's office by the prescribed deadlines
3. In collaboration with The Elliott CEO and/or Board Chair and the City Clerk, work with the Committee Chair to maintain a rolling planning calendar for the Committee
4. Answer questions posed by Committee members prior to Committee meetings
5. Provide support to Committee and attend open Committee meetings and closed meetings
6. In collaboration with The Elliott CEO and/or Board Chair,:
 - (a) engage in decision making at the direction of the Committee Chair
 - (b) offer opinion to Committee members in advance of, and during, Committee meetings
 - (c) review written input from the public and listen to public delegations
 - (d) ensure any correction of fact is provided to Committee
7. Ensure follow up on all matters related to the discussion and decisions of the Committee and on all time specific requests for additional information required prior to the Committee's final deliberation of reports
8. In collaboration with The Elliott CEO and/or Board Chair, serve as the primary spokesperson unless responsibility has been delegated as per communication plans

The City Clerk is responsible to:

1. Manage the legislative agenda and process for the Committee, ensure meetings are held in accordance with approved protocol and applicable legislation
2. In conjunction with the Deputy CAO and The Elliott CEO and/or Chair, plan committee agendas
3. Supervise staff in the preparation and distribution of agendas and agenda material
4. Attend, or designate staff to attend, all Committee meetings
5. Provide advice on legislative protocol and meeting procedures as requested by the Committee Chair
6. Supervise the issuance of notices, record minutes and resolutions and other meeting and documentary processes
7. Offer suggestions to the Chair and Deputy CAO for the effective and efficient administration of Committee meetings

Other City staff will provide support to the Committee through the Deputy CAO as required.

RELATED LEGISLATIONS, BY-LAWS, AGREEMENTS

Operation and governance of long-term care homes and the establishment of the Committee of Management is prescribed in the *Long-Term Care Homes Act, 2007, S.O. 2007, c.8.*

Provincial funding, service standards and the City of Guelph's accountability is established in the Long-Term Care Services Accountability Agreement between the City of Guelph and the Waterloo Wellington Local Health Integration Network.

City of Guelph By-law (2014)-19795 enacted on August 25, 2014, affirms that the City of Guelph establish and maintain The Elliott Long-Term Care Residence as the City of Guelph's long-term care home.

City of Guelph By-law (2014)-19795 enacted on August 25, 2014, delegates the City of Guelph's authority to operate The Elliott Long-Term Care Residence as the City of Guelph's approved long-term care home to The Elliott.

The Long-Term Care Services Agreement made between the City of Guelph and The Elliott establishes the roles and responsibilities of both the City of Guelph and The Elliott for the operation, governance, funding and reporting of The Elliott Long-Term Care Residence.



**THE ELLIOTT COMMUNITY
STATEMENT OF OPERATIONS
Long-Term Care Residence**

2015 DRAFT BUDGET

	2015 Budget \$
REVENUE	
Resident Accommodation:	
Long-Term Care - Basic	1,695,568
Long-Term Care - Preferred	374,756
	2,070,324
Government Subsidy - LTC:	
Provincial - MOHLTC / WWLHIN - LTCH Subsidy	3,766,716
Provincial - MOHLTC / WWLHIN - Other Programs	114,969
Municipal - City of Guelph - LTC Operations	1,240,226 *
	5,121,911
Other Revenue:	
Fees & Recoveries	39,280
Amortization of Deferred Contributions	38,088
Other Revenue	935
	78,303
	7,270,538
EXPENSES	
Employee Costs:	
Wages and Salaries	3,951,891
Employee Benefits	873,133
	4,825,024
Operating Costs:	
Amortization of Assets & Deferred Financing Fees	894,381
Supplies	474,421
Facility Costs	364,699
Financing & Service Fees	425,666
Equipment	170,940
Purchased Services	200,955
Administrative & Other	49,942
	2,581,004
	7,406,028
	(135,490)
	(135,490)

* Balances 'Other Accommodation (OA)' Envelope, other Direct Care Envelopes (NPC & PSS) will be subsidized by The Elliott Community's other Operations.



THE ELLIOTT COMMUNITY

Long-Term Care Residence

2015 CAPITAL BUDGET - Proposed

	2015 Budget \$
FUNDING	
Government Subsidy - LTC:	
Municipal - City of Guelph - LTC Capital*	212,000

TOTAL FUNDING	212,000

EXPENDITURES

Planned Capital Projects - 'The Elliott' Building:		Total Budget \$	LTC Allocation	
Car Top Railings (1 & 2)	TSSA requirement	6,000	75%	4,500
Permanent Front Sign	Replaces temporary sign (11 years old now)	25,000	63%	15,750
Wellington RHA Flooring	Carpet replacement- MOHLTC Compliance	27,059	100%	27,059
Eramosa RHA Flooring	Carpet replacement- MOHLTC Compliance	27,059	100%	27,059
Paisley RHA Flooring	Carpet replacement- MOHLTC Compliance	27,059	100%	27,059
Electrical Room Shielding	Electrical Safety Board requirement	2,175	75%	1,631
Roof Anchor Repairs	CSA requirement	10,890	75%	8,168
EIFS Stucco Repairs	From frozen down spouts	10,000	75%	7,500
Parking Lot Paving Repairs	Stonewell Study	5,000	63%	3,150
Sidewalk Repairs	Safety Issue	5,000	75%	3,750
Entrance Canopy	Paint peeling on galvanized steel	20,000	75%	15,000
Eaves Trough Heat Trace	From Frozen down spouts	31,000	63%	19,530
DHW Pump Seals	Pumps leaking	14,400	63%	9,072
Access Controller Updates	Expand Secure Access capacity	9,498	75%	7,124
Steam Boiler Repair	Building humidity control	20,000	75%	15,000
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TOTAL EXPENSES		240,140	79.7%	191,351

SURPLUS / (DEFICIT) to Reserve for LTC Capital Projects				20,649
				=====

* Capital funding to be received in advance by The Elliott Community and established in an interest-bearing account, accessed as required for approved projects, and reconciled annually with the City of Guelph.