



Program: Legal Services
Program Based Budget
2013 - 2015

Program: Legal Services

Vision Statement:

A centre of expertise providing exceptional in-house legal and real estate services to the town.

Mission Statement:

The Legal Services Program is dedicated to providing expert and strategic legal and real estate services, professional advice, and time-sensitive support to Council and staff to ensure compliance with the law and protect and advance the interests of the town.

Program Description

The Legal Services program provides a full range of professional services and advice to Council and to all departments of the municipal corporation in the fields of municipal and planning law and real estate transactions to facilitate legally supportable decisions and actions, and manage risks to the municipality.

Program Services

The Legal Services program provides the following services to the town:

- Legal Services
- Realty Services
- Corporate Hearings and Litigation

Staffing Overview

Program: Legal Services	2011 Approved FTE	2012 Approved FTE	2013 Capital Impact	2013 Base FTE Change	2013 Reallocation of Staff	2013 Total FTE	Net Change 2013 vs 2012
Legal Services	8.0	7.6		(0.2)		7.4	(0.2)
Realty Services	1.0	1.0				1.0	0.0
Corporate Hearings & Litigation	0.0	0.0				0.0	0.0
Total Legal Services	9.0	8.6	0.0	(0.2)	0.0	8.4	(0.2)

Legal Services has decreased 0.2 to reflect the elimination of a part-time law student position.

Program Services Budget Overview

Program: Legal Services	2012 Restated		2013 Requested		Net Change 2013 vs 2012	Net Change 2013 vs 2012 (%)
	Gross Budget	Net Budget	Gross Budget	Net Budget		
Services/Activities:						
Legal Services	1,136,600	1,133,100	1,224,200	1,218,700	85,600	7.6%
Realty Services	249,600	39,300	584,400	21,600	(17,700)	(45.0%)
Corporate Hearings & Litigation	750,000	750,000	750,000	750,000	0	0.0%
Total Legal Services	2,136,200	1,922,400	2,558,600	1,990,300	67,900	3.5%

Note: 2013 economic increases for all employee groups with the exception of Fire and Transit unionized employees have been included in the Corporate Revenue and Expenses budget pending contract negotiations.

In 2013 the Legal Services program has seen an increase of \$67,900 or 3.5%. The budget increase is primarily due to an increase of \$85,600 for Legal Service due to the reversal of a gapped position in 2012 and increased part-time wages to match expenditures for Assistant Solicitors. To help mitigate the increase, Realty Services has savings of \$17,700, mainly due to the elimination of utility expenses for the former Transit facility which was sold in 2012.

Level of Services Offered

- Services provided by Oakville are consistent with standard municipal practice.
- The effectiveness and efficiency of these services is reviewed through the town's performance-based, program based budgeting process.

Key Objectives (Initiatives) for 2013 – 2015

The following initiatives will be undertaken over 2013-2015 to help meet Council's strategic objective to continuously improve our programs and services:

- The Legal Department will develop and participate in strategic processes that ensure strong and coordinated responses that serve to protect and advance the town's interests in hearings and litigation, and position the municipality to maximum advantage to achieve successful outcomes through resolution and consensus, where appropriate.
- The Legal Department will provide considered and knowledgeable advice and opinions that maximize the opportunity for Council and town staff to successfully protect and advance the interests of the municipality and its citizens.
- The Legal Department will investigate opportunities and, where appropriate, recommend and implement acquisitions and dispositions of land that will assist the municipality in achieving its strategic objectives.

2013 Program Budget Drivers

	2012 Restated Budget	2013 Base Budget	2013 Capital Impact	2013 Budget Efficiencies	2013 Requested Budget	\$ Change From 2012	% Change From 2012
EXPENSES:							
Personnel Services & Benefits	1,137,000	1,224,900	0	0	1,224,900	87,900	7.7%
Materials & Supplies	69,500	25,600	0	0	25,600	(43,900)	(63.2%)
Capital Out Of Operations	0	0	0	0	0	0	0.0%
Purchased Services	903,600	909,100	0	(700)	908,400	4,800	0.5%
Payments & Grants	24,300	105,700	0	0	105,700	81,400	335.0%
Internal Expenses & Transfers	1,800	294,000	0	0	294,000	292,200	16,233.3%
Total EXPENSES	2,136,200	2,559,300	0	(700)	2,558,600	422,400	19.8%
REVENUES:							
External Revenues	213,800	568,300	0	0	568,300	354,500	165.8%
Internal Recovery & Fund Transfers	0	0	0	0	0	0	0.0%
Total REVENUES	213,800	568,300	0	0	568,300	354,500	165.8%
TAX LEVY	1,922,400	1,991,000	0	(700)	1,990,300	67,900	3.5%

Note: 2013 economic increases for all employee groups with the exception of Fire and Transit unionized employees have been included in the Corporate Revenue and Expenses budget pending contract negotiations.

In 2013, the Legal Services program has increased by \$67,900 or 3.5%. The main drivers for this increase are the following:

- Personnel Services & Benefits have increased \$87,900 or 7.7 % which accounts for a position no longer gapped, increased part-time dollars to reflect actual expenditures, and changes in benefit requirements.
- Materials and Supplies have decreased \$43,900 or 63.2% as a result of the elimination of utility expenses due to the sale of the former Transit facility.
- Purchased Services has increased 4,800 or 0.5%, primarily due to an increase in repairs and maintenance for town-owned leased properties, which is partially mitigated through the elimination of blackberry/internet services.
- Payments & Grants have increased \$81,400 or 335.0% due to property taxes for town-owned leased properties.
- Internal Expenses & Transfers have increased \$294,000 due to a transfer to the General Capital Reserve for net revenues received from rental properties at Trafalgar Square. These revenues have been transferred to the reserve to help offset the town's share of future Midtown capital works.
- External Revenues has increased \$354,500 or 165.8% due to increased rental revenues from town-owned properties and to include the newly acquired Trafalgar Square.

2014 - 2015 Expenditure Summary

	2013 Requested Budget	2014 Forecast Base Budget	2013-2014 Change (%)	2015 Forecast Base Budget	2014-2015 Change (%)
GROSS EXPENDITURES					
Legal Services:					
Legal Services	1,224,200	1,239,900	1.3%	1,255,700	1.3%
Realty Services	584,400	587,700	0.6%	590,400	0.5%
Corporate Hearings & Litigation	750,000	750,000	0.0%	750,000	0.0%
Total GROSS EXPENDITURES	2,558,600	2,577,600	0.7%	2,596,100	0.7%
TAX LEVY					
Legal Services:					
Legal Services	1,218,700	1,234,400	1.3%	1,250,200	1.3%
Realty Services	21,600	20,300	(6.0%)	23,000	13.3%
Corporate Hearings & Litigation	750,000	750,000	0.0%	750,000	0.0%
Total TAX LEVY	1,990,300	2,004,700	0.7%	2,023,200	0.9%
GROSS EXPENDITURES by Type					
Personnel Services & Benefits	1,224,900	1,241,500	1.4%	1,258,800	1.4%
Materials & Supplies	25,600	27,500	7.4%	28,200	2.5%
Purchased Services	908,400	908,900	0.1%	909,400	0.1%
Internal Charges	1,800	1,800	0.0%	1,800	0.0%
Other Expenditures	105,700	105,700	0.0%	105,700	0.0%
Minor Capital & Transfer to Reserves	292,200	292,200	0.0%	292,200	0.0%
Total EXPENDITURES	2,558,600	2,577,600	0.7%	2,596,100	0.7%
REVENUES by Type					
Activity Revenue	568,300	572,900	0.8%	572,900	0.0%
Internal Recoveries	0	0	0.0%	0	0.0%
Grants	0	0	0.0%	0	0.0%
Other Revenue	0	0	0.0%	0	0.0%
Total REVENUES	568,300	572,900	0.8%	572,900	0.0%
TAX LEVY	1,990,300	2,004,700	0.7%	2,023,200	0.9%

Note: 2014 and 2015 economic increases for all employee groups with the exception of Fire and Transit unionized employees have been included in the Corporate Revenue and Expenses budget pending contract negotiations.

Service: Legal Services

Mission

Legal Services provides legal advice and services to Council and town departments to ensure strategic objectives, decisions, and municipal operations and programs are achieved in accordance with applicable law.

Major Responsibilities

- Provide timely and considered advice, direction and responses to legal inquiries.
- Ensure the town's interests are represented and protected in judicial, administrative, and quasi-judicial proceedings, including settlement negotiations.
- Conduct real estate transactions on behalf of the town, investigate title, and register instruments to convey or acquire interests in land and enforce financial or other obligations.

Strategic Priorities (Initiatives)

- The Legal Department will participate in the streamlining of court and prosecution processes to enhance the efficient and effective enforcement of town by-laws.
- The Legal Department will investigate additional opportunities and, where appropriate, recommend approval and implementation of delegation of minor approvals and administrative legal matters to the Town solicitor and other town staff.

Key Outcomes

- The Legal Department has been active in protecting and advancing the town's interests in support of a number of significant files and initiatives, including the natural gas leak in South East Oakville, solar panel agreement with Oakville Hydro, Regional Roads Maintenance Agreement, tanning beds, cell tower issues, motorcycle noise, the Health Protection Air Quality By-law, the new hospital, the proposed joint EMS/fire station in Palermo, development charges, and significant land transactions, including the acquisition of three surplus public school sites and the former Post Office site.
- The Legal Department has maintained a successful partnership with Parking Operations, with the Town Prosecutor applying his expertise in enforcement issues as First Attendance Facilitator at Town Hall for parking infractions.

2013 – 2015 Operating Budget Summary

	2012 Restated Budget	2013 Base Budget	2013 Capital Impact	2013 Budget Efficiencies	2013 Requested Budget	\$ Change From 2012	% Change From 2012	2014 Forecast Budget	2015 Forecast Budget
EXPENSES:									
Personnel Services & Benefits	1,008,500	1,094,200	0	0	1,094,200	85,700	8.5%	1,109,200	1,124,800
Materials & Supplies	22,500	22,900	0	0	22,900	400	1.8%	23,400	23,400
Purchased Services	101,600	101,800	0	(700)	101,100	(500)	(0.5%)	101,300	101,500
Internal Charges	500	500	0	0	500	0	0.0%	500	500
Other Expenditures	3,500	5,500	0	0	5,500	2,000	57.1%	5,500	5,500
Minor Capital & Transfer to Reserves	0	0	0	0	0	0	0.0%	0	0
Total EXPENSES	1,136,600	1,224,900	0	(700)	1,224,200	87,600	7.7%	1,239,900	1,255,700
REVENUES:									
Activity Revenue	3,500	5,500	0	0	5,500	2,000	57.1%	5,500	5,500
Internal Recoveries	0	0	0	0	0	0	0.0%	0	0
Grants	0	0	0	0	0	0	0.0%	0	0
Other Revenue	0	0	0	0	0	0	0.0%	0	0
Total REVENUES	3,500	5,500	0	0	5,500	2,000	57.1%	5,500	5,500
TAX LEVY	1,133,100	1,219,400	0	(700)	1,218,700	85,600	7.6%	1,234,400	1,250,200
TAX LEVY By Activity:									
Legal Services	1,133,100	1,219,400	0	(700)	1,218,700	85,600	7.6%	1,234,400	1,250,200
TAX LEVY	1,133,100	1,219,400	0	(700)	1,218,700	85,600	7.6%	1,234,400	1,250,200

2013 Key Budget Drivers

- Personnel Services & Benefits have increased \$85,700 or 8.5% primarily due to the reversal of a gapped position in 2012 and increased part-time expenditures for Assistant Solicitors to reflect trends. Additionally, there are increases due to the changes in benefit requirements.
- Purchased Services has decreased \$500 or 0.5%, primarily due to the elimination of blackberry/internet services.
- Activity Revenue has increased \$2,000 or 57.1% for developer agreement fees to match trends.

2014 - 2015 Budget Forecast Highlights

- In 2014 and 2015, budgets reflect inflationary increases only.

Service: Realty Services

Mission

Realty Services manages the town's portfolio of freehold and leasehold properties, negotiates real estate transactions, and provides advice regarding land valuation and calculations for cash in lieu of parkland entitlements.

Major Responsibilities

- Assist in identifying town land requirements and negotiate acquisitions and dispositions.
- Manage and maintain town leasehold properties and negotiate lease terms.
- Ensure properties are appraised, acquired and sold at fair market value and in accordance with legislative requirements.
- Assist in maximizing town parkland entitlements under the Planning Act.

Strategic Priorities (Initiatives)

- Realty Services will actively monitor the real estate market and make timely and considered recommendations as opportunities arise for strategic land acquisitions and dispositions by the town.
- Realty Services will assist in investigating opportunities to negotiate and, where possible, structure leasehold and licensing arrangements to ensure that users of town properties are not susceptible to unexpected property tax liabilities.
- Realty Services will assist in reviewing and formulating recommendations regarding the town's policies and requirements in connection with the calculation and collection of cash-in-lieu of parkland dedication.

Key Outcomes

- Realty Services completed a number of key acquisitions, licences and leases to meet the program needs and service requests of the town, including a number of land exchanges, road widenings, and service easements.
- Realty Services was instrumental in negotiating a number of agreements, including the acquisition of the Licks and Taco Bell restaurants site on Trafalgar Road and Securit lands, and the disposition of the former transit site.
- Realty Services has been successful in ensuring that the leasehold properties it manages are self-supporting.

2013 – 2015 Operating Budget Summary

	2012 Restated Budget	2013 Base Budget	2013 Capital Impact	2013 Budget Efficiencies	2013 Requested Budget	\$ Change From 2012	% Change From 2012	2014 Forecast Budget	2015 Forecast Budget
EXPENSES:									
Personnel Services & Benefits	128,500	130,700	0	0	130,700	2,200	1.7%	132,300	134,000
Materials & Supplies	47,000	2,700	0	0	2,700	(44,300)	(94.3%)	4,100	4,800
Purchased Services	52,000	57,300	0	0	57,300	5,300	10.2%	57,600	57,900
Internal Charges	1,300	1,300	0	0	1,300	0	0.0%	1,300	1,300
Other Expenditures	20,800	100,200	0	0	100,200	79,400	381.7%	100,200	100,200
Minor Capital & Transfer to Reserves	0	292,200	0	0	292,200	292,200	0.0%	292,200	292,200
Total EXPENSES	249,600	584,400	0	0	584,400	334,800	134.1%	587,700	590,400
REVENUES:									
Activity Revenue	210,300	562,800	0	0	562,800	352,500	167.6%	567,400	567,400
Internal Recoveries	0	0	0	0	0	0	0.0%	0	0
Grants	0	0	0	0	0	0	0.0%	0	0
Other Revenue	0	0	0	0	0	0	0.0%	0	0
Total REVENUES	210,300	562,800	0	0	562,800	352,500	167.6%	567,400	567,400
TAX LEVY	39,300	21,600	0	0	21,600	(17,700)	(45.0%)	20,300	23,000
TAX LEVY By Activity:									
Realty Services	39,300	21,600	0	0	21,600	(17,700)	(45.0%)	20,300	23,000
TAX LEVY	39,300	21,600	0	0	21,600	(17,700)	(45.0%)	20,300	23,000

2013 Key Budget Drivers

- Personnel Services and Benefits have increased \$2,200 or 1.7% due to changes in benefit requirements.
- Materials and Supplies have decreased \$44,300 or 94.3% for reduced utility expenses due to the sale of the former Transit facility in 2012.
- Purchased Services have increased \$5,300 or 10.2%, due to increased insurance and repairs/maintenance to town owned leased properties.
- Other Expenditures have increased \$79,400 or 381.7% for property taxes of town-owned leased properties.
- Minor Capital & Transfer to Reserves has increased \$292,200 or 100% due to a transfer to the General Working Capital Reserve for the net revenues generated from Trafalgar Square.
- Activity Revenue has increased \$352,500 to reflect trends in town-owned leased properties and to include newly acquired Trafalgar Square.

2014 - 2015 Budget Forecast Highlights

- In 2014 and 2015, budgets reflect inflationary increases only.

Service: Corporate Hearings and Litigation

Mission

The Corporate Hearings and Litigation service provided by the Legal Department ensures that the town's interests and corporate position as determined by Council are effectively protected and advanced before the courts and tribunals, such as the Ontario Municipal Board and the Conservation Review Board.

Major Responsibilities

- Ensure that the town's interests are represented and advanced through the strategic and efficient deployment of internal and external resources and expertise, effective advocacy, and settlement negotiations and resolution through consensus where appropriate.

Strategic Priorities (Initiatives)

- The Legal Department will continue to advance the town's position in respect of a number of corporate litigation files continuing through 2013, including participation in Regional Official Plan appeals, minor variance and zoning issues, including the new zoning by-law and the Fernbrook development appeal under the Livable Oakville plan.

Key Outcomes

- The Corporate Hearings and Litigation service of the Legal Department included activity in a number of contentious matters, including Memorial Gardens zoning appeals, 'farm' assessment, FOI appeals, Monastery Bakery and Hilton Garden Inn minor variance appeals, and sign by-law Charter challenges.
- The Legal Department was also successful in bringing to resolution a number of significant files, including Amica (Oakville South), the Bronte Village Mall, Drive-thru's, the Rain development, and Livable Oakville appeals, among others, resulting in significant savings in the Corporate Hearings and Litigation budget.

2013 – 2015 Operating Budget Summary

	2012 Restated Budget	2013 Base Budget	2013 Capital Impact	2013 Budget Efficiencies	2013 Requested Budget	\$ Change From 2012	% Change From 2012	2014 Forecast Budget	2015 Forecast Budget
EXPENSES:									
Personnel Services & Benefits	0	0	0	0	0	0	0.0%	0	0
Materials & Supplies	0	0	0	0	0	0	0.0%	0	0
Purchased Services	750,000	750,000	0	0	750,000	0	0.0%	750,000	750,000
Internal Charges	0	0	0	0	0	0	0.0%	0	0
Other Expenditures	0	0	0	0	0	0	0.0%	0	0
Minor Capital & Transfer to Reserves	0	0	0	0	0	0	0.0%	0	0
Total EXPENSES	750,000	750,000	0	0	750,000	0	0.0%	750,000	750,000
REVENUES:									
Activity Revenue	0	0	0	0	0	0	0.0%	0	0
Internal Recoveries	0	0	0	0	0	0	0.0%	0	0
Grants	0	0	0	0	0	0	0.0%	0	0
Other Revenue	0	0	0	0	0	0	0.0%	0	0
Total REVENUES	0	0	0	0	0	0	0.0%	0	0
TAX LEVY	750,000	750,000	0	0	750,000	0	0.0%	750,000	750,000
TAX LEVY By Activity:									
Corporate Hearings & Litigation	750,000	750,000	0	0	750,000	0	0.0%	750,000	750,000
TAX LEVY	750,000	750,000	0	0	750,000	0	0.0%	750,000	750,000

2013 Key Budget Drivers

- Purchased Services has remained constant at \$750,000 to anticipated needs.

2014 - 2015 Budget Forecast Highlights

- 2014 and 2015 budgets are proposed to remain constant.

