



Program: Legal Services
Program Based Budget
2016 – 2018

Program: Legal Services

Vision Statement:

A team of skilled and dedicated professionals providing the highest level of in-house legal and real estate services and expertise to the town.

Mission Statement:

The Legal Services Program is dedicated to providing exceptional expert and strategic legal and real estate services, constructive professional advice, and time-sensitive support to Council and staff to ensure compliance with the law and to 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, with expertise 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	2014 Approved FTE	2015 Approved FTE	2016 Capital Impact	2016 Service Level Change	2016 Reallocation of Staff	2016 Total FTE	Net Change 2016 vs 2015
Services/Activities:							
Legal Services	7.4	7.4		0.3	1.0	8.7	1.3
Realty Services	1.0	1.0				1.0	0.0
Corporate Hearings & Litigation	0.0	0.0				0.0	0.0
Total Legal Services	8.4	8.4	0.0	0.3	1.0	9.7	1.3

Overall, the total staff complement for Legal Services has increased by 1.3 for a total of 9.7 FTE's. In 2015, a position was reallocated from Corporate to provide for a full-time Law Clerk to provide support as a result of the increased work load in Legal Services. As well, part-time Assistant Solicitor hours were converted to create a full-time Solicitor position in order to provide on-going legal advice required. Finally, part-time hours were included for a Screening Officer to manage the dispute resolution processes related to the town's administrative monetary penalty program. The cost of this position will be recovered from the Parking program.

Program Services Budget Overview

Services/Activities:	2015 Restated		2016 Requested		Net Change 2016 vs 2015	Net Change 2016 vs 2015 (%)
	Gross Budget	Net Budget	Gross Budget	Net Budget		
Legal Services	1,324,900	1,319,400	1,478,000	1,442,500	123,100	9.3%
Realty Services	183,700	178,700	230,100	225,100	46,400	26.0%
Corporate Hearings & Litigation	500,000	500,000	500,000	500,000	0	0.0%
Total	2,008,600	1,998,100	2,208,100	2,167,600	169,500	8.5%

The 2016 Legal Services program has increased by \$169,500 or 8.5% primarily related to the staffing changes noted above, which include conversion of PT Assistant Town Solicitor to FT, PT Screening Officer addition, and a Full-time Law Clerk. Additional funds for consulting services have also been added to Realty Services for appraisals and acquisitions. The current balance in the Litigation Reserve is \$2.8 million, which is sufficient to cover larger corporate hearing and litigation expenses above the \$500,000 included in the budget.

Key Performance Indicators

1. Percentage of gross operating budget

2011	2012	2013	2014	2015
1.4%	1.2%	1.2%	1.1%	1.0%
Why Important: Monitors the cost of the program as a proportion of the total cost for the town.				
How Calculated: Gross program operating costs (excluding transfers to reserves and internal charges) / Gross town operating costs (excluding transfers to reserves and internal charges)				

2. Percentage of total FTEs

2011	2012	2013	2014	2015
0.6%	0.6%	0.6%	0.5%	0.5%
Why Important: Assesses the capacity of the program by examining the proportion of staff expertise against the total Town FTE's.				
How Calculated: Total program FTEs including part-time / Total town FTEs including part-time				

3. Number of proceedings, including OMB appeals, resolved without going to litigation

2011	2012	2013	2014	2015
Not Available	Not Available	Not Available	Not Available	28
Why Important: Monitors the proportion of proceedings resolved to the satisfaction of the town without incurring additional litigation costs.				
How Calculated: Total number of settled proceedings (excluding insured claims)				

4. Total value of cash-in-lieu of parkland dedication entitlements calculated by Realty Services

2011	2012	2013	2014	2015
Not Available	Not Available	Not Available	Not Available	\$10,638,171*
Why Important: Monitors the value of cash in lieu of parkland dedication entitlements identified and calculated by Realty Services.				
How Calculated: Total value of all cash-in-lieu of parkland dedication calculations performed and entered by Realty Services				

*as of Oct. 30, 2105

5. Town's livability through by-law compliance – successful prosecutions

2011	2012	2013	2014	2015
90%	94%	94%	88%	91%
Why Important: Monitors the proportion of offences resulting in by-law compliance and/or conviction for non-compliance.				
How Calculated: Total number of proceedings resulting in by-law compliance and/or convictions / Total number of court dispositions				

Key Objectives (Initiatives) for 2016 – 2018

The following initiatives will be undertaken over 2016-2018 to help meet Council's strategic objective to continuously improve our programs and services:

- The Legal Department will develop and participate in corporate strategic processes that ensure strong and coordinated responses that serve to protect and advance the town's interests in development applications, 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 knowledgeable and strategic 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.
- The Legal Department will undertake a comprehensive strategic planning process to identify and implement strategic initiatives to ensure continued leading edge service and performance.
- The Legal Department will continue to participate in the streamlining of court and prosecution processes to enhance the efficient and effective enforcement of town by-laws.
- The Legal Department will oversee and manage the dispute resolution processes in respect of the town's administrative monetary penalty program.
- Realty Services will oversee Oakville's real estate portfolio through the strategic acquisition, disposition and leasing of real estate rights as well as management of inventories of owned and leased lands.
- Realty Services will investigate, and where appropriate recommend implementation of innovative structures and/or potential partnerships to facilitate complex or large-scale infrastructure and town projects.
- 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 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.
- Realty Services will assist Finance and Environmental Policy in support of initiatives related to accounting policies and stewardship of real estate assets.

2016 Program Budget Drivers

	2015 Restated Budget	2016 Base Budget	2016 Capital Budget Impact	2016 Service Adjustments	2016 Requested Budget	\$ Change From 2015	% Change From 2015
Expenses:							
Personnel Services & Benefits	1,296,500	1,477,600	0	0	1,477,600	181,100	14.0%
Materials & Supplies	40,300	43,600	0	0	43,600	3,300	8.2%
Capital Out Of Operations	0	0	0	0	0	0	0.0%
Purchased Services	666,600	683,200	0	0	683,200	16,600	2.5%
Payments & Grants	4,700	3,200	0	0	3,200	(1,500)	(31.9%)
Internal Expenses & Transfers	500	500	0	0	500	0	0.0%
Total Expenses	2,008,600	2,208,100	0	0	2,208,100	199,500	9.9%
Revenues:							
External Revenues	10,500	10,500	0	0	10,500	0	0.0%
Internal Recovery & Fund Trsfs	0	30,000	0	0	30,000	30,000	0.0%
Total Revenues	10,500	40,500	0	0	40,500	30,000	285.7%
Tax Levy	1,998,100	2,167,600	0	0	2,167,600	169,500	8.5%

In 2016, the Legal Services program has increased by \$169,500 or 8.5%. The main drivers for this increase are the following:

- Personnel Services and Benefits increased by \$181,100, primarily due to several staffing adjustments including conversion of PT Assistant Town Solicitor, a PT Screening Officer addition, and a FT Law Clerk. Inflationary and compensation increases are also included.
- Material & Supplies increased \$3,300 primarily due to increased cost of books and periodicals, to reflect current usage.
- Purchased Services increased \$16,600 primarily due to professional fees related to consulting services for appraisals and acquisitions.
- Payments and Grants decreased \$1,500 due to registration and filing fees, as related to current usage.
- Internal Expenses & Transfers increased \$30,000 due to cost recovery from Parking related to the new Screening Officer position.

2017 - 2018 Operating Budget Summary

	2016 Requested Budget	2017 Forecast Requested Budget	2016-2017 Change (%)	2018 Forecast Requested Budget	2017-2018 Change (%)
Gross Expenditures					
Legal Services					
Legal Services	1,478,000	1,511,000	2.2%	1,548,100	2.5%
Realty Services	230,100	234,100	1.7%	238,700	2.0%
Corporate Hearings & Litigation	500,000	500,000	0.0%	500,000	0.0%
Total Gross Expenditures	2,208,100	2,245,100	1.7%	2,286,800	1.9%
Tax Levy					
Legal Services					
Legal Services	1,442,500	1,475,500	2.3%	1,512,600	2.5%
Realty Services	225,100	229,100	1.8%	233,700	2.0%
Corporate Hearings & Litigation	500,000	500,000	0.0%	500,000	0.0%
Total Tax Levy	2,167,600	2,204,600	1.7%	2,246,300	1.9%
Gross Expenditures By Type					
Personnel Services & Benefits	1,477,600	1,514,600	2.5%	1,556,300	2.8%
Materials & Supplies	43,600	43,600	0.0%	43,600	0.0%
Purchased Services	683,200	683,200	0.0%	683,200	0.0%
Internal Charges	500	500	0.0%	500	0.0%
Other Expenditures	3,200	3,200	0.0%	3,200	0.0%
Minor Capital & Transfer To Reserves	0	0	0.0%	0	0.0%
Total Expenditures	2,208,100	2,245,100	1.7%	2,286,800	1.9%
Revenues By Type					
Activity Revenue	10,500	10,500	0.0%	10,500	0.0%
Internal Recoveries	30,000	30,000	0.0%	30,000	0.0%
Grants	0	0	0.0%	0	0.0%
Other Revenue	0	0	0.0%	0	0.0%
Total Revenues	40,500	40,500	0.0%	40,500	0.0%
Tax Levy	2,167,600	2,204,600	1.7%	2,246,300	1.9%

2017 - 2018 Budget Forecast Highlights

- Budget reflects inflationary increases only.

