

Service Business Plan



Service Name	Corporate Legal	Service Type	Internal
Service Owner Name	Nancy Shea Nicol	Budget Year	2017
Service Owner Title	City Solicitor & Director of Legal Services		

Service Description

An internal service to help Council, the City and its business units achieve their strategic and operating objectives by providing strategic legal and real estate advice and service as well as the delivery of the city's insurance and claims programs and related risk management.

Current State

<p>Customers & Their Expectations</p>	<p>This service is delivered to:</p> <ul style="list-style-type: none"> • The City • Mayor and Council • Senior management • Staff at all levels in the organization <p>Our customers expect us to act in the best interests of the City by providing responsive, competent, timely and cost-effective legal, insurance and real estate advice and support to Council and staff.</p> <p>They expect us to at all times conduct ourselves with a high level of professionalism, integrity and efficiency that supports public confidence in the City of Burlington.</p>
<p>Existing Service Delivery</p>	<p>Legal and real estate services provided include:</p> <p>ADVICE: Providing a range of legal advice and opinions to our customers including advice/education of new or pending legislative changes, risk management.</p> <p>ADVOCACY: Representing the City before courts and tribunals (written, oral, negotiations), including prosecutions under the City's by-laws, Fire Code and Building Code, defence of insurance claims (internal and external resources),</p> <p>LEGAL DRAFTING: Preparing and reviewing contracts, agreements and by-laws and reviewing insurance provisions in all contracts.</p> <p>TRANSACTIONAL ACTIVITY: Completing transactions involving the buying/selling/leasing/easements of the City's property and/or land and commercial and real estate legal transactions, and administration of the city's insurance program.</p>

Existing Customer Engagement Tools / Methods	Annual survey of customers to better anticipate demand for legal services. Annual customer satisfaction survey of customers requiring more than 35 hours of legal/real estate service , insurance services.
Is this Service Provincially Legislated?	No N/A
For this Service are there Approved Service Standards?	Yes Conduct related to the delivery of legal service is regulated through the Law Society of Upper Canada. All legislation and regulation applies to or affects the business of the municipality.

Sub-Services

Real Estate Service (Property & Land)	<ul style="list-style-type: none"> • Strategic land advice and negotiations respecting property related to the delivery of city programs/services • Acquiring and disposing of land for city needs • Negotiation of Lease/license agreements • Parkland dedication valuations
Insurance/Risk Management	Delivery of the city's program of insurance.

Recent Continuous Improvement Initiatives

In 2015, the service's internal time-tracking system was replaced by the corporate time tracking system. The system helps the service quantify how much service is being provided, by department and by key projects. This data will be used for reporting on 2016 performance.

The transfer of the city's program of insurance from Finance to Corporate Legal Services was completed in October 2016.

The City successfully defended its position at the Court of Appeal in the Burlington Airpark dispute (first round) with costs awarded to the City. Litigation continues however.

Legal services have been more actively engaged in developing corporate positions on proposed changes to legislation (Planning Act, Niagara Escarpment Plan review, Aeronautics legislation).

Emerging Opportunities and Anticipated Risks

Emerging Opportunities	<p>One way to provide more customer service is to expand the service's internal website to include standard templates for basic contracts. This would lessen the demand for service for simple, non-complex matters, and speed up the turnaround time on more complex matters.</p> <p>Discussions are underway between Human Resources and Legal to centralize the use of external legal counsel in Corporate Legal.</p> <p>City Council has adopted an ambitious 25 year strategic plan that is focused on growth and intensification. Legal resources will be required to defend the policies and amendments to the city's planning instruments to successfully implement Council's vision (planning, transportation).</p> <p>Review of the Municipal Act, 2001 is expected to commence in late 2016.</p>
Anticipated Risks	<p>The cost of acquiring external legal services will continue to increase. The City therefore tries to keep the delivery of legal service in-house and to only supplement the service when a specialized area of law is involved (such as environmental).</p> <p>Society has become increasingly likely to challenge, appeal and/or file claims against the City as it provides services to the public.</p> <p>The approval of the City's new Official Plan and Zoning Bylaw in 2017 and beyond will generate appeals to the Ontario Municipal Board. These will have to be defended by either internal or external counsel.</p> <p>Mores legal resources will be required (external or internal) to deal with all of the litigation that will follow the completion of the City's OP review, Mobility Hub studies, employment land conversions all of which will likely be contested.</p>

Service Objectives	Target Completion
Achieve final resolution (trial/settlement) of outstanding litigation (Burlington Airpark Court of Appeal #2, 374 Martha Street) to reduce risk to the City.	Dec 2017
The Director and lead of each practice group will meet with their key customers at mid-year each year. This will measure progress related to the anticipated demand for service projected from the annual service demands survey.	Jul 2017
Reduce the cost of external legal services and the overall Corporate Legal Services costs by exploring alternative billing methods.	Dec 2018
Complete the acquisition of land either through settlement or expropriation required for the widening of Waterdown Road (four properties) and North Service Road/Walkers re-alignment (one property) to allow construction of these projects to proceed on time.	Dec 2017
To successfully defend the approved new Official Plan and Zoning By-law against any appeals.	Dec 2019

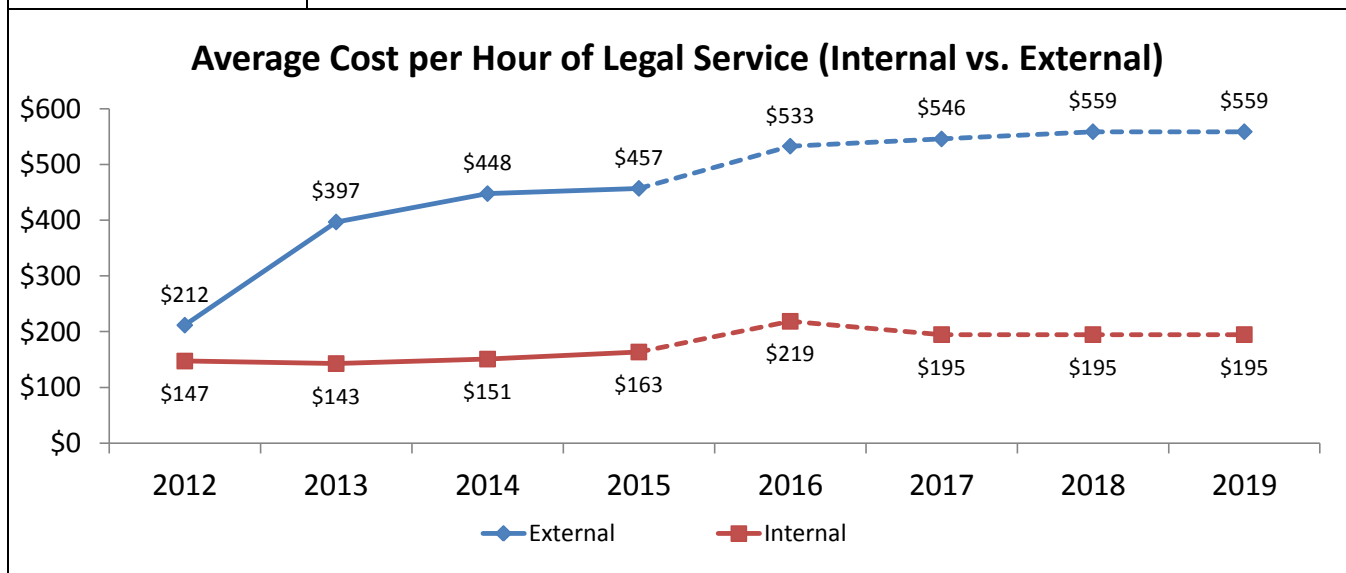
MEASURING SUCCESS

How much did we do?

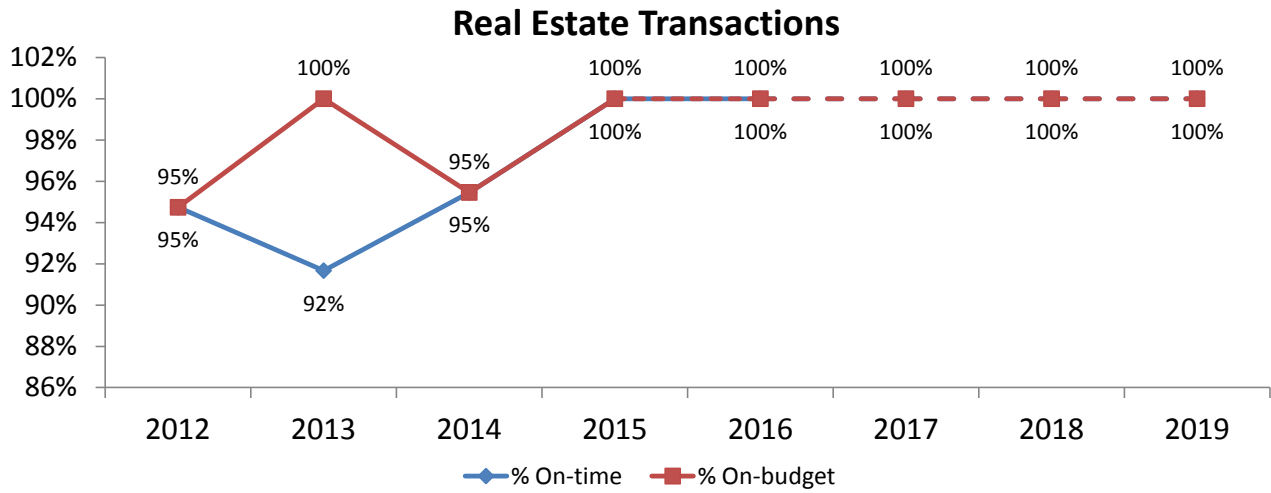
Performance Measurement	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Projection	2017 Forecast	2018 Forecast	2019 Forecast
Total # of in-house lawyer hours available	8,760	9,903	9,723	9,353	7,840	7,840	7,840	7,840
Total # of external legal service hours purchased	1,647	2,814	1,438	1,081	2,165	2,165	2,165	2,165
# of real estate transactions completed (lease, purchase, sale, transfer)	19	24	44	29	30	31	31	31

How well did we do it?

Performance Measurement	Average Cost per Hour of Legal Service (Internal vs. External)
Story behind the data	Internal costs have been held relatively constant, with the only increases being in HR-related costs. The average gross cost per hour of providing legal services in-house remains about one-third the average hourly cost of purchasing external legal services. Data for 2016 will not be available until early 2017.

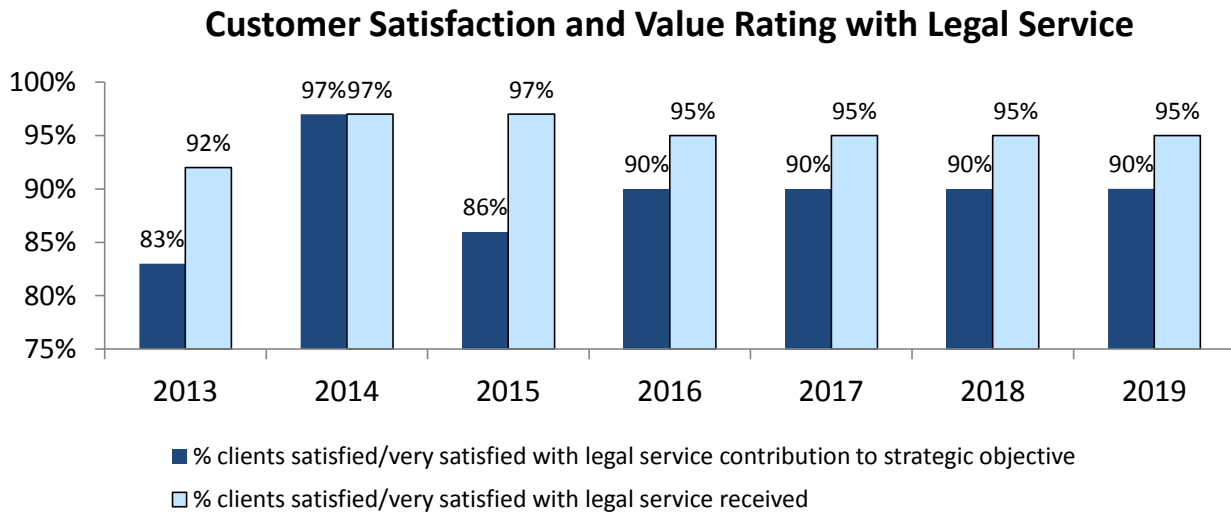


Performance Measurement	Real Estate Transactions
Story behind the data	The chart reflects the actual number of transactions. The information is tracked manually. Actual data for 2016 will not be available until early 2017.



Is anyone better off?

Performance Measurement	Customer Satisfaction and Value Rating with Legal Service
Story behind the data	The data for 2015 has been derived from the 2015 customer satisfaction survey results. There was a 70% response rate to the survey. Actual data for 2016 will not be available until early 2017.
Where do we want to go?	In terms of improving client satisfaction, the department will prioritize to providing faster service and be more proactive in advising our clients of legislative changes or legal developments affecting their businesses.



SERVICE RESOURCE SUMMARY

Service Description

An internal service to help Council, the City and its business units achieve their strategic and operating objectives by providing strategic legal and real estate advice and service.

Service Owner Name

Nancy Shea Nicol

	2015	2016		2017 Proposed				
	Actual	Budget	Year End Projections	Base Budget	% Change vs. 2016 Budget	Business Cases	Total Budget	% Change vs. 2016 Budget
Human Resources	\$ 1,413,408	\$ 1,449,340	\$ 1,449,340	\$ 1,593,031	9.9%	\$ -	\$ 1,593,031	9.9%
Operating/Minor Capital Equip.	\$ 43,150	\$ 46,500	\$ 45,000	\$ 48,800	4.9%	\$ -	\$ 48,800	4.9%
Purchased Services	\$ 72,050	\$ 84,300	\$ 83,050	\$ 85,900	1.9%	\$ -	\$ 85,900	1.9%
Corp. Expenditures/Provisions	\$ -	\$ -	\$ -	\$ -	n/a	\$ -	\$ -	n/a
Internal Charges & Settlements	\$ -	\$ -	\$ -	\$ -	n/a	\$ -	\$ -	n/a
TOTAL EXPENDITURES	\$ 1,528,608	\$ 1,580,140	\$ 1,577,390	\$ 1,727,731	9.3%	\$ -	\$ 1,727,731	9.3%
Controllable Revenues	\$ (204,706)	\$ (159,000)	\$ (176,000)	\$ (179,000)	12.6%	\$ -	\$ (179,000)	12.6%
General Revenues & Recoveries	\$ (141,288)	\$ (181,080)	\$ (181,080)	\$ (184,102)	1.7%	\$ -	\$ (184,102)	1.7%
TOTAL REVENUES	\$ (345,994)	\$ (340,080)	\$ (357,080)	\$ (363,102)	6.8%	\$ -	\$ (363,102)	6.8%
NET OPERATING BUDGET	\$ 1,182,613	\$ 1,240,060	\$ 1,220,310	\$ 1,364,629	10.0%	\$ -	\$ 1,364,629	10.0%