



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 6.3
Budget Committee
January 27, 2023

TO: Chair and Members of Budget Committee
(Standing Committee of the Whole on Budget)

SUBMITTED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

DATE: January 16, 2023

SUBJECT: Proposed 2023/24 Legal & Legislative Services Budget and Business Plan

ORIGIN

As per Administrative Order 1 and the Budget and Business Plan consultation schedule presented to Regional Council on November 8, 2022, staff are required to present the draft 2023/24 Business Unit Budget and Business Plans to the Budget Committee for review and discussion prior to consideration by Regional Council.

LEGISLATIVE AUTHORITY

Halifax Charter, section 35 (1) The Chief Administrative Officer shall (b) ensure that an annual budget is prepared and submitted to the Council.

RECOMMENDATION

That the Budget Committee:

1. Direct the Chief Administrative Officer to incorporate the Legal & Legislative Services proposed 2023/24 Budget and Business Plan, as set out and discussed in the accompanying plan and supporting presentation, into the Draft 2023/24 Operating Budget.

BACKGROUND

On January 12, 2021, Regional Council adopted a Strategic Planning Framework, establishing priority outcomes for their term, and directed staff to develop plans to advance these outcomes.

As part of the design of the 2023/24 Budget and Business Plan development process, the Budget Committee is reviewing each business unit's budget and proposed plans, in advance of completing detailed HRM Budget and Business Plan preparation.

This recommendation does not include the addition/removal of any proposed Budget Adjustment List options.

DISCUSSION

Staff has prepared the proposed 2023/24 Legal & Legislative Services Budget and Business Plan consistent with the 2021- 2025 Strategic Priorities Plan approved on December 1, 2020, as well as budget direction provided on November 25, 2022.

Following direction from the Budget Committee, staff will proceed to prepare the detailed Budget and Business Plan for inclusion in the proposed 2023/24 HRM Budget and Business Plan documents to be presented to Regional Council's Budget Committee, as per the process and schedule approved on November 8, 2022.

As part of the budget process, Regional Council may be provided with a list of possible service increases and decreases that will allow them to more fully direct changes to the budget.

REDUCTIONS AND OVER BUDGET OPTIONS

Legal & Legislative Services is not proposing any reductions or over budget options for 2023/24.

FINANCIAL IMPLICATIONS

The recommendations in this report will lead to the development of a proposed 2023/24 Budget. There are no immediate financial implications from this recommendation. The broader financial implications will be discussed and debated as the budget is developed in more detail.

RISK CONSIDERATION

Although there is no immediate risk associated with this report, there may be risks associated with individual decisions during the budget debate that could favour short-term results over longer-term strategic outcomes. Individual decisions made during budget debate will, however, be considered for both short- and long-term impacts to levels of service, asset condition, and cost.

In addition, the administration seeks to reduce these risks in three ways: by providing Regional Council with several fiscal options to assist in the achievement of longer-term strategic outcomes, by assessing both corporate and capital project risk, and by providing the opportunity to draw Regional Council's attention to project or program related risks when reports are presented for consideration.

Enterprise risks are reviewed as part of the strategic planning process and mitigating initiatives incorporated into business planning activities to reduce or eliminate the impact and likelihood of the risk occurring.

COMMUNITY ENGAGEMENT

The 2022 Municipal Services Survey was conducted from September 12 – 29, 2022. This survey was available online and by mail to all residents, and received 4,030 responses to a variety of budget, planning, and priorities questions. The results of the 2022 Resident Survey were provided in an information report presented to Regional Council on November 22, 2022.

The 2023/24 budget process also seeks to solicit public comment by inviting members of the public to provide feedback prior to each business unit budget and business plan presentation.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Budget Committee could choose to amend the Budget and Business Plan as proposed in the supporting presentation through specific motion and direct the Chief Administrative Officer to prepare the Budget and Business Plan for inclusion in the proposed 2023/24 HRM Budget and Business Plan documents.

ATTACHMENTS

Attachment 1 – 2023/24 Legal & Legislative Services Proposed Budget and Business Plan
Attachment 2 – 2023/24 Legal & Legislative Services Proposed Budget and Business Plan Presentation

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Karen Marr, Coordinator, Legal & Legislative Services, 902.490.1353

Financial Approval by: Jerry Blackwood, CFO, Executive Director of Finance & Asset Management, 902.490.6308

Report Approved by: Caroline Blair-Smith, Deputy Chief Administrative Officer, Corporate Services, 902.490.6778

LEGAL & LEGISLATIVE SERVICES





2023/24 BUDGET AND BUSINESS PLAN





MISSION TO PROVIDE HIGH QUALITY PROFESSIONAL SERVICES TO THE HALIFAX REGIONAL MUNICIPALITY IN KEEPING WITH THE MUNICIPALITY'S CORE VALUES AND COUNCIL PRIORITIES.

WE MAKE A DIFFERENCE.

READING THE BUDGET AND BUSINESS PLAN

Council and Administrative Priorities are represented within the *Budget and Business Plan* using the legend below. Strategic initiatives and deliverables supporting HalifACT are denoted. Estimated Completion (EST) applies to deliverables carried over from previous business plans and is the estimated date of completion. Target (T) applies to new deliverables and is the original target completion date. For more information on HalifACT initiatives visit: <https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/220121cow05i.pdf>

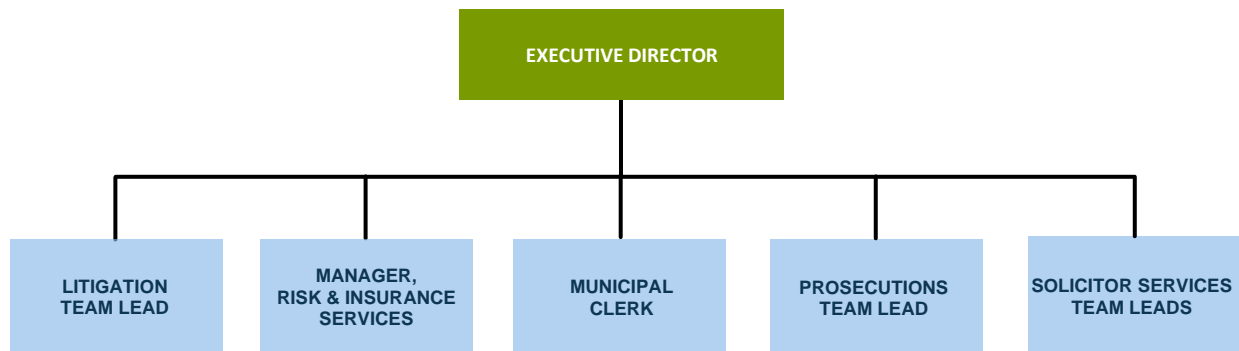
Council Priorities	
	Prosperous Economy
	Communities
	Integrated Mobility
	Environment

Administrative Priorities	
	Responsible Administration
	Our People
	Service Excellence
	Strategic initiatives or deliverables supporting HalifACT.

OVERVIEW

Reporting to the DCAO, Corporate Services, the Municipal Solicitor / Executive Director leads the Legal & Legislative Services Business Unit that is committed to advancing Regional Council and administrative priority outcomes. This is achieved through delivery of professional support to Halifax Regional Municipality through the provision of legal, risk and insurance services as well as meeting management, legislative and other administrative support.

ORGANIZATION CHART





FULL TIME EQUIVALENT COUNTS

Includes all approved and funded full time equivalents (FTEs).

Full Time Equivalent (FTE) Change Details	
Approved 2022/23 FTEs:	77.2
New Positions:	
Public Appointments Coordinator	0.4
Training Development Intern	0.2
Total Changes	0.6
Total Budgeted 2023/24 FTEs	77.8

Includes full, part-time, and permanent positions - calculated value based on the normal working hours of each position.

STRATEGIC INITIATIVES

Initiative	Description	Priority & Outcome
Legal & Legislative Services Business Unit Efficiencies	Business processes and practices across the business unit are continually reviewed to maximize efficiency and effectiveness as well as aligning with the Diversity & Inclusion Framework. Individual division operational deliverables are in place to further this important work in service excellence.	 Exceptional Customer Service
Enterprise Risk Management Framework	The Municipality has developed and will continue to monitor and implement aspects of the Risk Management Framework. The framework will manage and mitigate enterprise and operational risks through business and strategic plans.	 Holistic Planning

BUDGET

SERVICE AREA BUDGET OVERVIEW

Service Area	2021/22	2022/23	2022/23	2023/24		
	Actual	Budget	Projections	Budget	Δ 22/23 Budget	Δ %
Director's Office	\$ 505,748	\$ 513,000	\$ 481,100	\$ 492,500	\$ (20,500)	(4.0)
Legal Services	4,064,753	4,838,300	4,730,900	4,796,800	(41,500)	(0.9)
Office of the Municipal Clerk	2,971,145	2,669,700	2,599,800	2,686,900	17,200	0.6
Risk & Insurance Services	674,670	709,000	656,500	711,800	2,800	0.4
Net Total	\$ 8,216,316	\$ 8,730,000	\$ 8,468,300	\$ 8,688,000	\$ (42,000)	(0.5)

SUMMARY OF EXPENDITURE AND REVENUE

Expenditures	2021/22	2022/23	2022/23	2023/24		Δ %
	Actual	Budget	Projections	Budget	Δ 22/23 Budget	
Compensation and Benefits	\$ 7,139,426	\$ 8,176,800	\$ 7,875,200	\$ 8,575,300	\$ 398,500	4.9
Office	137,088	115,400	121,900	156,600	41,200	35.7
External Services	(130,454)	443,900	459,700	1,107,700	663,800	149.5
Supplies	174	3,800	4,800	3,100	(700)	(18.4)
Equipment & Communications	750	3,000	3,000	42,500	39,500	1,316.7
Other Goods & Services	285,117	344,600	364,200	335,200	(9,400)	(2.7)
Interdepartmental	(509)	11,200	10,600	6,000	(5,200)	(46.4)
Other Fiscal	1,087,469	(110,000)	(110,000)	(1,168,700)	(1,058,700)	962.5
Total Expenditures	8,519,062	8,988,700	8,729,400	9,057,700	69,000	0.8

Revenues	2021/22	2022/23	2022/23	2023/24		Δ %
	Actual	Budget	Projections	Budget	Δ 22/23 Budget	
Fee Revenues	\$ (218,010)	\$ (204,200)	\$ (221,100)	\$ (227,500)	\$ (23,300)	11.4
Other Revenue	(84,736)	(54,500)	(40,000)	(142,200)	(87,700)	160.9
Total Revenues	(302,747)	(258,700)	(261,100)	(369,700)	(111,000)	42.9
Net Total	\$ 8,216,316	\$ 8,730,000	\$ 8,468,300	\$ 8,688,000	\$ (42,000)	(0.5)

OPERATING – SUMMARY OF CHANGES

Change Description / Service Impact	Amount
Approved 2022/23 Budget	\$ 8,730,000
Compensation Changes:	
Position changes and salary adjustments	98,500
Revenue Adjustments:	
Property Information Requests	(67,200)
Insurance recovery	(21,600)
Increased revenue from Province - night court	(21,700)
Miscellaneous adjustments	(500)
Other Budget Adjustments:	
Software and licence cost increases	12,800
Reduction in fees for external services	(26,000)
2024 Election	1,160,700
Election reserve transfer	(1,160,700)
Miscellaneous adjustments	(16,300)
Total Proposed Changes	\$ (42,000)
2023/24 Budget	\$ 8,688,000

SERVICE AREA PLANS

LEGAL SERVICES

Legal Services is committed to supporting Regional Council priorities through the delivery of quality legal services that support Regional Council, its agencies, boards, commissions, and committees, and the municipal business units.

Services Delivered

Solicitor Services. Provides legal advice to Regional Council, Committees of Regional Council, Agencies, Boards and Commissions, in respect of the conduct of the business of the Municipality; provides advice to management and staff on a wide range of topics, including related research for HRM. Works with business units to develop, amend, and consolidate by-laws for the Municipality as well as working with business units to draft a wide array of legal agreements, leases, policies and MOU's and assist in negotiations where required. Further, Solicitor Services completes property transactions for land acquisitions and disposals, title migrations and investigations, reviews and approves documents regarding encroachments, easements, and rights-of-way, prepares conveyance documents for tax sales as well as provides ongoing advice to Real Estate on any number of issues.

Litigation Services. Advises and represents HRM in dispute resolution matters including proceedings involving the Municipality and its employees before diverse provincial and federal courts and administrative tribunals at all levels (up to and including the Supreme Court of Canada) as well as in various alternative dispute resolution forums.

Prosecution Services. Provides training to Halifax Regional Police and HRM staff, and prosecutes violations under the Motor Vehicle Act, Liquor Control Act, Fire Safety Act, Protection of Property Act, 911 Act, Off Highway Vehicle Act, Smoke Free Places Act, Building Code, Land use violations, Development Agreement violations, violations of municipal by- laws, and various regulatory infractions as well as HRM-issued parking tickets, including all related applications and appeals. With the onset of the Covid-19 pandemic, Prosecution Services is now prosecuting violations of Orders issued by the Province under The Emergency Management Act and the Health Protection Act.

Service Delivery Performance Measures

Performance Measures	2020/21 Actual	2021/22 Actual	2022/23 Projected
Number of Legal Files Opened	769	755	827
Number of Prosecution Files Opened	77	116	117
Number of Reports Reviewed	324	369	362

Performance Measures Analysis

As mentioned above, Legal Services supports all HRM Business Units with their day-to-day operations including general advice, litigation support in multiple areas of law including personal injury, labour issues, contract disputes, etc., as well as contract drafting and review, and providing general advice as outlined above. This year shows an

increase in the number of files of approximately 8.5% mainly in our corporate commercial, litigation and municipal law files, while property and prosecution files remain consistent.

OFFICE OF THE MUNICIPAL CLERK

The Office of the Municipal Clerk is a legislated office under the Halifax Regional Municipality Charter. The Municipal Clerk is committed to supporting Regional Council priorities, and is tasked with facilitating and supporting Regional Council, Community Councils, as well as the official Boards, Committees and Commissions of Regional Council. The Office of the Municipal Clerk is tasked with ensuring consistent and transparent access to local government, the maintenance and integrity of the Municipality’s public records, as well as administration and delivery of Municipal Elections.

Services Delivered

Council Support. This service is responsible for coordinating and facilitating the council meeting process and coordination of civic appointments to boards, committees and commissions in accordance with the Halifax Regional Municipal Charter and applicable administrative orders and policies for:

- Regional Council;
- Community Council, Standing Committees, other Committees of Council, and Board Meetings; and
- Civic Appointments.

Records Management. Carries out the responsibilities of the Municipal Clerk; ensures accurate, transparent, and secure storage for municipal records, as well as development of policies and standards regarding record management and retention; coordination of municipal legislation (By-laws and Administrative Orders) for the Municipality in accordance with applicable legislation and Administrative Orders through:

- Office of the Municipal Clerk;
- Access and Privacy Office;
- By-Law and Administrative Order Legislative Support; and
- Corporate Information Management Office (HRM Records Centre and Municipal Archives).

Municipal Elections. This service is responsible for preparing for and conducting general and by-elections for the Mayor, Council and CSAP Board Members in accordance with the provincial Municipal Elections Act and Education Act. Elections can also include plebiscites as directed by Regional Council. This year, the Municipal Clerk’s office is completing the legislated UARB District Boundary Review Application and preparing for the 2024 municipal election.



Service Delivery Performance Measures

Performance Measures	2020/21 Actual	2021/22 Actual	2022/23 Projected
Number of Formal Freedom of Information (as per Legislated FOI Program) Requests	661	1,371 ²	781

Performance Measures	2020/21 Actual	2021/22 Actual	2022/23 Projected
Percent of Regular Formal Freedom of Information Requests Completed Within 30 Days	80% ¹	84%	80%
Percent of Regular Formal Freedom of Information Requests, Extensions, and 3rd Party Notices Completed Within Legislated Timelines	80% ¹	94%	95%
Notes: <ul style="list-style-type: none"> 1) Covid-19 Pandemic affected numerous programs and processes throughout the Municipality as well as the application and processing of FOIPOP requests. 2) Spike in 2021/22 was due to a property FOIPOP request on a 400 unit building, where each unit had a separate civic address and was required to be processed separately. 			

Performance Measures Analysis

The Access & Privacy office expects to process 781 applications this year, which included a significant number of high-volume requests on matters of public interest. In 2022, the office also underwent a structural re-organization which will allow the Municipality to better meet its legislative obligations. Updated employee training and requirements for Privacy Compliance Checklists and Privacy Impact Assessments guard private information collected by the municipality and increases the organization's overall privacy awareness.

2023/24 Key Deliverables		Priority & Outcome	Target (T) / Estimated Completion (EST)
Name	Description		
District Boundary Review - Hearing	Legal & Legislative Services will advance HRM's position with respect to the District Boundary Review in front of the NS Utility and Review Board in 2023.	 Involved Communities	T - Q1 2023/24
2024 Municipal Election	The Municipal Clerk's Office will lead a multi-business unit approach for the delivery of the 2024 Municipal Election and its related processes.	 Innovative Performance Excellence	T - Q4 2025/26

RISK & INSURANCE SERVICES

Risk and Insurance Services is committed to supporting Regional Council and administrative priorities through:

- the provision of enterprise risk, hazard based and operational risk management advice
- the management of claims made against or by HRM; and
- the management of financing of HRM risk through insurance and a reserve

This is accomplished by applying sound risk management processes to identify, analyze, and mitigate loss exposures to the municipality and the design and management of the municipal insurance portfolio for HRM, Halifax Water, the Library Commission and other Agencies, Boards and Commissions.

Services Delivered

Risk Management. This service provides the application of sound operational risk management strategies and processes to identify, analyze, mitigate, respond to or avoid exposures, claims, and other risks to the HRM, its entities, and the public in the most risk aware, cost effective manner. It is responsible for the acquisition and maintenance of insurance coverage for the Mayor, Regional Council, municipal operations, property, assets, boards and commissions, including Halifax Water, Halifax Public Libraries and others for which the municipality is contractually obligated to provide insurance.

Enterprise Risk Management. This service is responsible for ensuring that risks (strategic and operational) are appropriately identified through the business planning process, evaluated, and managed by the responsible business units.

Contractual Risk Management. Review and provide insurance and risk management language, advice and protocols.

Claims Management. This service provides adjusting, investigation, and settlement of claims against and for the municipality including Halifax Water, Halifax Public Libraries, and Agencies, Boards and Commissions.

Service Delivery Performance Measures

Performance Measures	2020/21 Actual	2021/22 Actual	2022/23 Projected	2023/24 Planned
Claims received by fiscal year	1,550	2,205	1,391	n/a

Performance Measures Analysis

2022/23 projected claims are lower than last year due to a lack of significant weather events. Claims primarily result from snow removal operations and minor collisions due to congested streets. Absence of snow and ice certainly impacts the number of claims. Increased working from home initiatives also decrease claims due to reduced traffic.

LEGAL & LEGISLATIVE SERVICES

2023/24 Budget & Business Plan
Committee of the Whole on Budget
January 27, 2023



MISSION

To provide high quality professional services to the Halifax Regional Municipality in keeping with the municipality's core values and Regional Council priorities. We make a difference.

SERVICE AREAS

Legal Services – Municipal Solicitor / Executive Director

Provides leadership and stewardship of the legal and legislative services to business units while also providing expert legal advice to Regional Council, senior leaders and employees.

Office of the Municipal Clerk

Supports and facilitates Regional Council. Ensures consistent and transparent access to local government, the maintenance and integrity of the municipality's public records, and the administration and delivery of municipal elections.

Risk & Insurance Services

Responsible for insurance claims brought against or made on behalf of the municipality, enterprise and operational risk management processes, and insurance coverage.

ABOUT US

PROJECTED FREEDOM OF
INFORMATION REQUESTS IN 2022/23

780

ESTIMATED NUMBER OF REPORTS
REVIEWED BY LEGAL SERVICES IN
2022/23

380

ESTIMATED NUMBER OF CLAIMS
PROCESSED IN 2022/23

1390

APPROXIMATE NUMBER OF MEETINGS
SUPPORTED BY THE MUNICIPAL CLERK'S
OFFICE IN 2022/23

270

*Numbers rounded to nearest 10

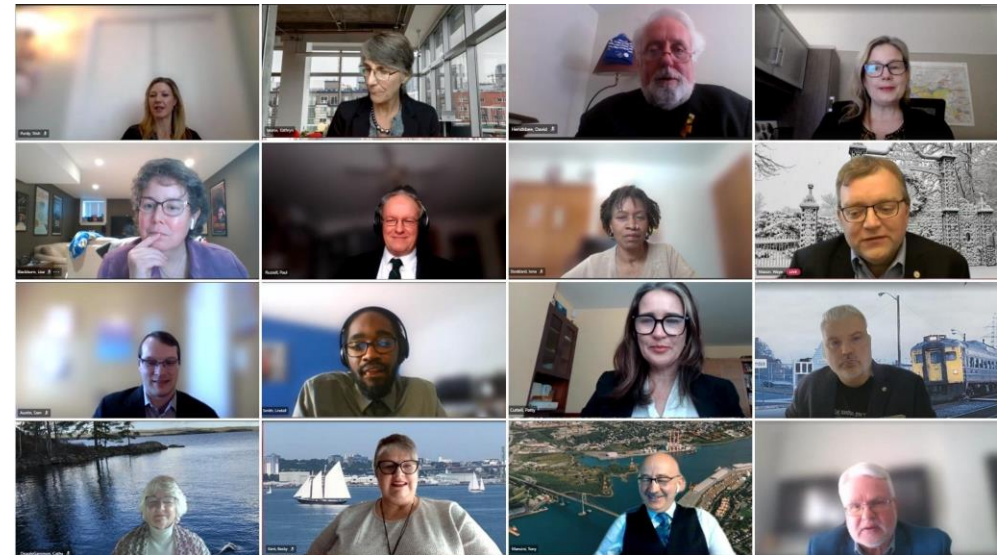
SUCCESSSES



Webcasted 77.9 per cent of meetings supported by the Municipal Clerk's Office (208/267)



District Boundary Review submissions were made to the Nova Scotia Utility and Review Board (NSUARB) prior to the December 31 deadline



SUCSESSES



Drafted, implemented and rolled out the Email Retention and Storage Policy, including tips and training for email management



Enterprise Risk Management (ERM) milestones

- Completed review of ERM and Operational Risk Registers
- Created dashboard report for senior leaders and risk owners
- Updated risk guidelines for Regional Council reports
- Completed employee training needs assessment

SUCCESSSES



Bayers Road Transit Priority Corridor



Cogswell District project

CURRENT & PLANNED INITIATIVES

ADMINISTRATIVE PRIORITIES

RESPONSIBLE ADMINISTRATION – WELL-MANAGED

- Risk Management Framework



SERVICE EXCELLENCE

- Implement meeting management technology
- 2024 Municipal Election



COUNCIL PRIORITIES

COMMUNITIES

- Advance the municipality's position regarding the District Boundary Review to the Nova Scotia Utility and Review Board in 2023



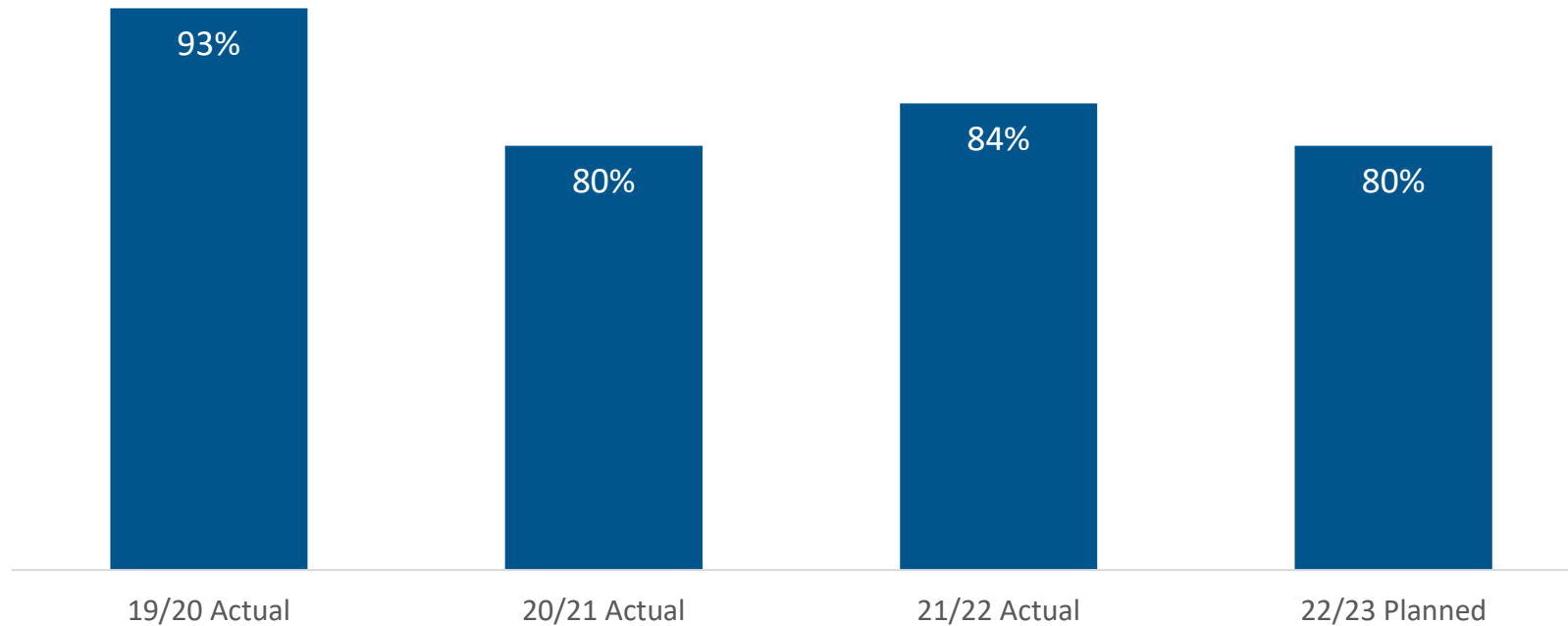
CURRENT & PLANNED INITIATIVES

- Legal & Legislative Services will provide support to the municipality's business units regarding the HalifACT initiative in several areas, including legal advice and meeting support through the Municipal Clerk's Office



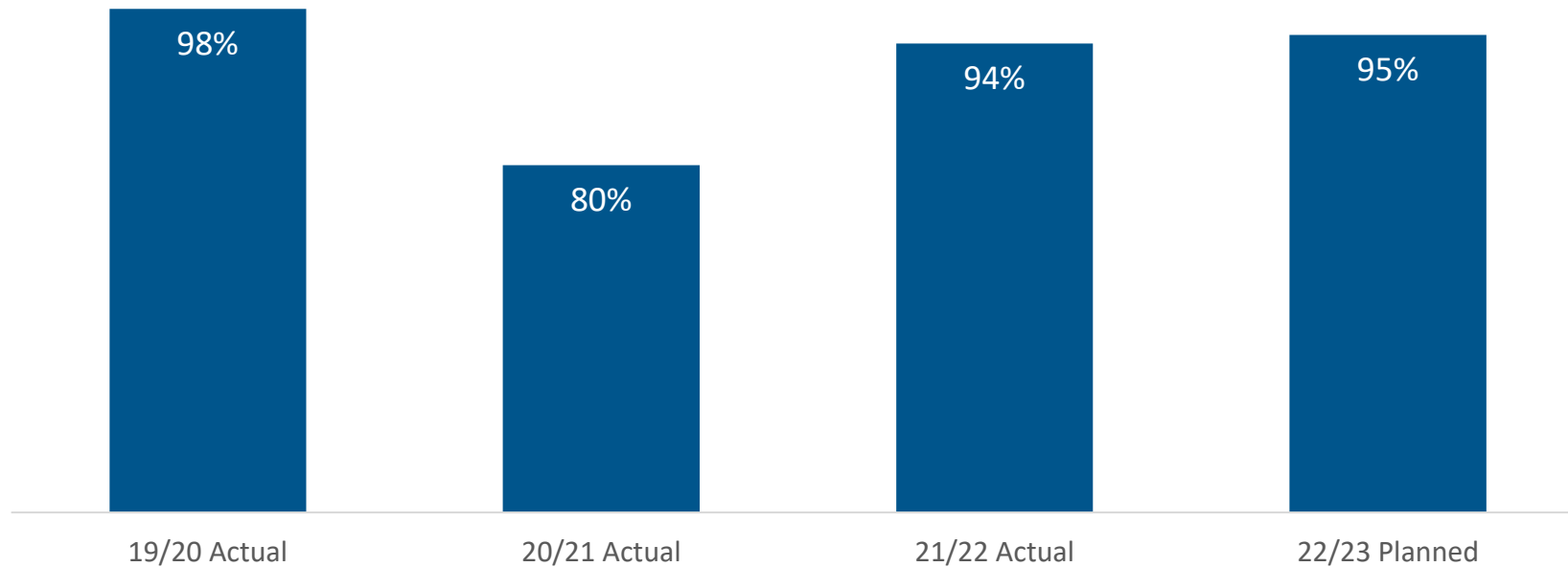
KEY PERFORMANCE INDICATORS

REGULAR FREEDOM OF INFORMATION REQUESTS COMPLETED WITHIN 30 DAYS



KEY PERFORMANCE INDICATORS

REGULAR FORMAL FREEDOM OF INFORMATION REQUESTS, EXTENSIONS AND THIRD-PARTY NOTICES COMPLETED WITHIN LEGISLATED TIMELINES



OPERATING BUDGET

STAFF COUNTS

Full Time Equivalent (FTE) Change Details	
Approved 2022/23 FTEs:	77.2
New Positions:	
Public Appointments Coordinator	0.4
Training Development Intern	0.2
Total Changes	0.6
Total Budgeted 2023/24 FTEs	77.8

Includes full, part-time, and permanent positions - calculated value based on the normal working hours of each position.

OPERATING BUDGET

SUMMARY OF CHANGES

Change Description / Service Impact	Amount
Approved 2022/23 Budget	\$ 8,730,000
Compensation Changes:	
Position changes and salary adjustments	98,500
Revenue Adjustments:	
Property Information Requests	(67,200)
Insurance recovery	(21,600)
Increased revenue from Province - night court	(21,700)
Miscellaneous adjustments	(500)
Other Budget Adjustments:	
Software and licence cost increases	12,800
Reduction in fees for external services	(26,000)
2024 Election	1,160,700
Election reserve transfer	(1,160,700)
Miscellaneous adjustments	(16,300)
Total Proposed Changes	\$ (42,000)
2023/24 Budget	\$ 8,688,000

THANK YOU