



City of Hamilton
HAMILTON STREET RAILWAY COMPANY SHAREHOLDER
AGENDA

Meeting #: 20-001
Date: September 14, 2020
Time: 10:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

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**HAMILTON STREET RAILWAY COMPANY
SHAREHOLDER
MINUTES**

9:32 p.m.

Wednesday, October 16, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor J. Partridge (Chair)
Councillors M. Wilson, N. Nann, S. Merulla, C. Collins, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, B. Johnson, A. VanderBeek,
T. Whitehead, J. Partridge

Absent: Mayor F. Eisenberger and Councillor J. Farr – Other City Business
Councillor M. Pearson - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Appointment of Officer (Item 6.1)

(Jackson/Collins)

That the following person be appointed to hold the office set opposite her name with all rights and obligations associated therewith, until such time as said person resigns or is replaced by the Board:

(a) ANDREA HOLLAND – Secretary

Result: Motion CARRIED by a Vote of 13 to 0, as Follows:

- YES - Ward 1 Councillor Maureen Wilson
- NOT PRESENT - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Ninder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Deputy Mayor Judi Partridge
- NOT PRESENT - Mayor Fred Eisenberger
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

2. Approving Transfers of Real Property (Item 7.1)

(Clark/Wilson)

WHEREAS, the City of Hamilton is the sole and beneficial shareholder (the "Shareholder") of the Corporation;

WHEREAS, the City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 11.9(1) of the *City of Hamilton Act*, 1999, S.O. 1999, c.14, Sched. C ("Act"), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the *Business Corporations Act*, R.S.O. 1990, c. B.16 ("OBCA");

WHEREAS, the City of Hamilton has a duty to manage the affairs of the Corporation, pursuant to Subsection 11.9(2) of the *Act*; and,

WHEREAS, the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

THEREFORE, BE IT RESOLVED:

That the transfers by the Corporation to the City of Hamilton of certain real properties held by the Corporation, as outlined in Report PED19172, be and the same be hereby approved.

Result: Motion CARRIED by a Vote of 13 to 0, as Follows:

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor Judi Partridge
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

FOR INFORMATION:**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised that there were no changes to the agenda.

(Whitehead/Nann)

That the agenda for the October 16, 2019 Hamilton Street Railway Company Shareholder be approved, as presented.

Result: Motion CARRIED by a Vote of 13 to 0, as Follows:

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor Judi Partridge
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**(i) July 8, 2019 (Item 3.1)****(Danko/Johnson)**

That the Minutes of the July 8, 2019 Hamilton Street Railway Company Shareholder meeting be approved, as presented.

Result: Motion CARRIED by a Vote of 13 to 0, as Follows:

YES - Ward 1 Councillor Maureen Wilson
 NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor Judi Partridge
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(d) ADJOURNMENT (Item 6)


(VanderBeek/Pauls)

That, there being no further business, the Hamilton Street Railway Company Shareholder meeting, be adjourned at 9:36 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor J. Partridge



Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

THE HAMILTON STREET RAILWAY COMPANY
(the "Corporation")

RESOLUTIONS OF THE SOLE SHAREHOLDER OF THE CORPORATION

WHEREAS City of Hamilton is the sole and beneficial Shareholder of the Corporation;

AND WHEREAS City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 11.9(1) of the *City of Hamilton Act*, 1999, S.O. 1999, c.14, Sched. C ("**Act**"), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the *Business Corporations Act*, R.S.O. 1990, c. B.16 ("**OBCA**");

AND WHEREAS City of Hamilton has a duty to manage the affairs of the Corporation, pursuant to Subsection 11.9(2) of the Act;

AND WHEREAS the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

NOW THEREFORE the Council of the City of Hamilton, acting in its capacity as representative of the Shareholder (City of Hamilton) of the Corporation, **RESOLVES AS FOLLOWS:**

1. That, in accordance with the provisions of the OBCA, the Shareholder hereby consents, to the Corporation being exempt from the requirements of Part XII of the OBCA regarding the appointment and duties of an auditor for the financial year of the Corporation ending December 31, 2019.
2. That any Officer of the Corporation be hereby authorized and directed to do all acts and things necessary or desirable to give full effect to the foregoing resolutions.

THE FOREGOING RESOLUTIONS are hereby consented to by the sole shareholder of the Corporation pursuant to the provision of the OBCA.

DATED the 14th day of September 2020.

CITY OF HAMILTON

Fred Eisenberger
President

Andrea Holland
City Clerk