



**HAMILTON STREET RAILWAY COMPANY  
SHAREHOLDER  
REPORT 21-001**

10:00 a.m.

Monday, September 13, 2021

**Due to COVID-19 and the closure of City Hall, this meeting was held virtually.**  
Stephanie Paparella, Legislative Coordinator 905 546-2424 x3993.

- Present:** Deputy Mayor T. Jackson (Chair)  
Councillors M. Wilson, J. Farr, N. Nann, J. P. Danko,  
B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, J. Partridge
- Absent:** Councillor T. Whitehead – Leave of Absence  
Mayor F. Eisenberger, Councillors C. Collins, S. Merulla, E. Pauls – Personal

**THE HAMILTON STREET RAILWAY COMPANY SHAREHOLDER PRESENTS  
REPORT 21-001, AND RESPECTFULLY RECOMMENDS:**

**1. Notice Requirement, Approval of Minutes; and, Confirmatory Actions (Item 4.1)**

WHEREAS, the City of Hamilton is the sole and beneficial 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:

- (a) 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, 2020;
- (b) That, in accordance with the provisions of the *Business Corporations Act*, R.S.O. 1990, c.B.16, the Shareholder hereby waives any notice requirement for the manner or time of notice required to be given under any provision of any Act, any regulations thereunder, the articles, the by-laws or otherwise and such waiver shall cure any default in the manner or time of such notice, as the case may be;
- (c) That the following Minutes of the Hamilton Street Railway Company Shareholder, be approved:
  - (i) September 14, 2020
- (d) That the officers of the Corporation are, and each acting alone is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such officers shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions; and,
- (e) That any actions taken by such officers, prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of the Corporation.

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

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

The agenda for the September 13, 2021 Hamilton Street Railway Company Shareholder was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) September 14, 2020 (Item 3.1)**

The September 14, 2020 Minutes of the Hamilton Street Railway Company Shareholder meeting were approved, as presented.

**(d) ADJOURNMENT (Item 5)**

There being no further business, the Hamilton Street Railway Company Shareholder meeting adjourned at 10:05 a.m.

Respectfully submitted,

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Tom Jackson, Deputy Mayor  
Chair, Hamilton Street Railway  
Company Shareholder

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Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk