

File: 03-05

February 28, 2024

DELIVERED BY E-MAIL
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City of Hamilton

Re: Process and Options for Appointment to the Hamilton-Oshawa Port Authority Board of Directors (All Wards)

Oshawa City Council considered the above matter at its meeting of February 26, 2024 and voted against the recommendation of the Joint Hamilton-Oshawa Working Group.

Oshawa City Council adopted the following resolution concerning the process for jointly appointing a new municipal representative to the Hamilton-Oshawa Port Authority Board of Directors:

“Whereas, in accordance with the Letters Patent of the Hamilton-Oshawa Port Authority, both the City of Hamilton and the City of Oshawa, in consultation with the City of Burlington, shall appoint one (1) individual to the Hamilton-Oshawa Port Authority Board of Directors; and,

Whereas, although jointly appointed by the City of Hamilton and the City of Oshawa, the municipally appointed director has a fiduciary duty to act solely in the best interest of the Hamilton-Oshawa Port Authority, and as such, has no role to advance the interests of one or both of the host municipalities who appointed said individual; and,

Whereas, the Letters Patent of the Hamilton-Oshawa Port Authority is silent on the process by which the City of Hamilton and the City of Oshawa are to jointly appoint one (1) individual to the Hamilton-Oshawa Port Authority Board of Directors,

Therefore be it resolved that the Council of the City of Oshawa recommend to the Council of the City of Hamilton, that the following process be adopted for jointly appointing a new director to the Hamilton-Oshawa Port Authority Board of Directors:

- a) Coinciding with the municipal election cycle and council term, the Hamilton-Oshawa Port Authority releases, on behalf of the City of Hamilton and the City of Oshawa, an open call for interested individuals who wish to serve on the Hamilton-Oshawa Port Authority Board of Directors as the municipally appointed director; and,

- b) The Hamilton-Oshawa Port Authority evaluates all applications received for the municipally appointed director, and provides a recommended candidate based on qualifications and eligibility criteria, for the City of Hamilton and City of Oshawa's consideration and endorsement; and,
- c) The municipally appointed director shall serve a four (4) year term, coinciding with the municipal election cycle and council term., understanding that the first director so appointed will serve a truncated term so as to synchronize with the current council term; and,
- d) City of Hamilton and City of Oshawa staff shall work with Hamilton-Oshawa Port Authority staff to develop a recruitment package to ensure consistency and fairness in the recruitment process, with such recruitment package to include, but not necessarily be limited to, a role description, eligibility criteria and minimum qualifications."

Oshawa City Council respectfully requests that Hamilton City Council consider the above resolution concerning the process for jointly appointing a new municipal representative to the Hamilton-Oshawa Port Authority Board of Directors.



Mary Medeiros
Director, Legislative Services/City Clerk

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c: Economic and Development Services Department
Tracy Adams, CAO
Members of the Joint Hamilton-Oshawa Working Group