

AGENDA
REGULAR MEETING OF COUNCIL
May 10, 2012
6:30 P.M.

- 1. ROLL CALL**
- 2. READING OF MINUTES**
- 3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS**
DEPARTMENTS AND INTERESTED PARTIES AND CITY
CLERK'S NOTES:
- A. EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) SUBSTANTIAL AMENDMENTS TO THE 2011 CONSOLIDATED PLAN ANNUAL ACTION PLAN SUBMITTED MAY 1, 2012.**
- B. DEPOSITS MADE BY THE SCRANTON SINGLE TAX OFFICE IN THE AMOUNTS OF \$21,897.54 AND \$615,299.76 TO FIDELITY BANK FOR THE 2012 TAN DEBT.**
- C. TAX ASSESSOR'S REPORTS, HEARING DATES APRIL 25TH AND MAY 16TH, OF 2012.**
- D. AUDIT STATUS FROM ROBERT ROSSI & CO. RECEIVED APRIL 26, 2012.**
- 4. CITIZENS PARTICIPATION**
- 5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENTS AND/OR RE-APPOINTMENTS TO BOARDS**
& COMMISSIONS. MOTIONS & REPORTS OF
COMMITTEES:

A.

MOTIONS

B.

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO LEVY A REAL ESTATE TAX MILLAGE INCREASE FOR A PERIOD OF (10) YEARS DEDICATED TO RETIRING THE UNFUNDED DEBT INCURRED IN CALENDAR YEAR 2012 IN THE AMOUNT OF NINE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$9,850,000.00) AND DIRECTING THE CITY TREASURER TO SEPARATE THE PROPER PORTION OF THE REAL ESTATE TAXES RECEIVED FROM THE SINGLE TAX OFFICE DURING SUCH TEN (10) PERIOD AND FORWARD SAME TO A SEPARATE ACCOUNT TO SERVICE AND RETIRE THE UNFUNDED DEBT.

C.

AUTHORIZING THE BUSINESS ADMINISTRATOR TO ACT AS AGENT FOR THE CITY OF SCRANTON FOR EMERGENCY AND DISASTER RELIEF PURSUANT TO THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT.

6. CONSIDERATION OF ORDINANCES – READING BY TITLE –

A.

READING BY TITLE – FILE OF COUNCIL NO. 31, 2012 – AN ORDINANCE – AN ORDINANCE OF THE CITY OF SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE ONE OR MORE SERIES OF FEDERALLY TAXABLE AND/OR TAX EXEMPT GENERAL OBLIGATION BONDS OR NOTES OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$26,600,000) (COLLECTIVELY, THE “BONDS”) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, PA.C.S. 53, CHAPTERS 80-82, AS AMENDED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS TO BE INCURRED TO PROVIDE FUNDS FOR A CERTAIN PROJECT

OF THE CITY CONSISTING OF ALL OR ANY OF THE FOLLOWING: (1) FUNDING UNFUNDED DEBT OF THE CITY; (2) REFUNDING A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES A OF 2003; (3) REFUNDING A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES B OF 2003; (4) REFUNDING A PORTION OF THE CITY'S OUTSTANDING FEDERALLY TAXABLE GENERAL OBLIGATION PENSION FUNDING BONDS, SERIES C OF 2003; (5) REFUNDING A PORTION OF THE CITY'S OUTSTANDING FEDERALLY TAXABLE GENERAL OBLIGATION BONDS, SERIES D OF 2003; AND (6) FUNDING NECESSARY RESERVES AND PAYING THE COSTS AND EXPENSES OF ISSUANCE OF THE BONDS; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS THAT ARE TO BE FINANCED AND REFINANCED BY THE BONDS; ACCEPTING A PROPOSAL FOR THE PURCHASE OR ARRANGEMENT OF THE PRIVATE PLACEMENT OF SUCH BONDS AT PRIVATE SALE BY NEGOTIATION TO FINANCIAL INSTITUTIONS, QUALIFIED INSTITUTIONAL BUYERS AND/OR ACCREDITED INVESTORS; PROVIDING THAT SUCH BONDS, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATIONS, SERIES DESIGNATIONS, DATED DATE, INTEREST PAYMENT DATES, MATURITY DATES, INTEREST RATES, REDEMPTION PROVISIONS, OPTIONAL AND MANDATORY REDEMPTION PROVISIONS (IF APPLICABLE) AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH BONDS; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH BONDS TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND FOR EACH SERIES OF BONDS IN CONNECTION WITH SUCH SERIES OF BONDS, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH BONDS WHEN DUE; SETTING

FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT AND THE REFUNDING OF THE PRIOR BONDS; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE BONDS, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH BONDS, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE BONDS UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; IF APPLICABLE, SETTING FORTH CERTAIN COVENANTS PRECLUDING THE CITY FROM TAKING ACTIONS WHICH WOULD CAUSE THE BONDS TO BECOME "ARBITRAGE BONDS" OR "PRIVATE ACTIVITY BONDS," AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE AND COVENANTING TO COMPLY WITH THE PROVISIONS THEREOF, IF APPLICABLE; AUTHORIZING THE EXECUTION OF ONE OR MORE ESCROW AGREEMENTS BY AND BETWEEN THE CITY AND THE ESCROW AGENT NAMED THEREIN IN CONNECTION WITH THE REFUNDING OF THE PRIOR BONDS; APPROVING THE FORM OF AND RATIFYING THE PREPARATION, USE AND DISTRIBUTION OF A PRELIMINARY PLACEMENT MEMORANDUM AND A PLACEMENT MEMORANDUM BY THE PURCHASER OR PLACEMENT AGENT IN CONNECTION WITH THE MARKETING OF THE BONDS; AUTHORIZING AND DIRECTING THE PREPARATION, EXECUTION AND DELIVERY OF ALL OTHER REQUIRED DOCUMENTS AND THE TAKING OF

ALL OTHER REQUIRED ACTION; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INSOFAR AS THE SAME SHALL BE INCONSISTENT HEREWITH.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES -

**A.
FOR CONSIDERATION BY THE COMMITTEE ON RULES FOR ADOPTION -RESOLUTION NO. 21, 2012 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE AGREEMENT WITH HORSEPOWER HARLEY DAVIDSON, INC. TO LEASE FIVE (5) POLICE PACKAGE MOTORCYCLES.**

**8.
ADJOURNMENT:**

**NANCY KRAKE
CITY CLERK
SCRANTON, PENNSYLVANIA**