

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**May 3, 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. MINUTES OF THE LACKAWANNA HEALTH & WELFARE  
AUTHORITY'S REGULAR BOARD MEETING HELD MARCH  
15, 2012.**
- B. MINUTES OF THE SCRANTON POLICE PENSION  
COMMISSION MEETING HELD MARCH 28, 2012.**
- C. CONTROLLER'S REPORT FOR THE MONTH ENDING MARCH  
31, 2012.**
- D. MINUTES OF THE FIREMEN'S PENSION COMMISSION  
MEETING HELD MARCH 28, 2012.**
- E. MUNICIPAL PENSION FUND ELECTION FOR COMPOSITE  
BOARD MUNICIPAL BOARD REPRESENTATIVE TO BE HELD  
MAY 11, 2012.**
- F. AGENDA FOR THE ZONING HEARING BOARD MEETING TO  
BE HELD MAY 9, 2012.**
- 4. CITIZENS PARTICIPATION**

**5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENTS AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS. MOTIONS & REPORTS OF COMMITTEES:**

**A.  
MOTIONS**

**B.  
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.**

**C.  
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.**

**6. CONSIDERATION OF ORDINANCES – READING BY TITLE –**

**A.**

**NO BUSINESS AT THIS TIME.**

**7. FINAL READING OF RESOLUTIONS AND ORDINANCES -**

**A.**

**FOR CONSIDERATION BY THE COMMITTEE ON RULES FOR ADOPTION -RESOLUTION NO. 19, 2012 - APPOINTMENT OF LEE BORTHWICK, PE, 616 DEPOT STREET, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD TO SERVE THE UNEXPIRED TERM OF DAVID G. SMITH, PE PLS THROUGH OCTOBER 11, 2015.**

**B.**

**FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR ADOPTION -RESOLUTION NO. 20, 2012 - RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF COMMUNITY LIFE SUPPORT (CLS), TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT, FOR THE PROJECT TO BE KNOWN AS COMMUNITY LIFE SUPPORT NEW BUILDING PROJECT LOCATED IN SCRANTON, PENNSYLVANIA AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$350,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.**

**8.**

**ADJOURNMENT:**

**NANCY KRAKE  
CITY CLERK  
SCRANTON, PENNSYLVANIA**