



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Text

File #: 0658-23, **Version:** 1

A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its Various Purpose General Obligation Refunding Bonds, Series 2023B in a principal amount not to exceed \$75,000,000. [Dept. of Finance, Hensley]

Authorization to approve advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of the Various Purpose General Obligation Refunding Bonds, Series 2023B in a principal amount not to exceed \$75,000,000. Funds are Budgeted. (L0658-23) (Hensley)

Budgetary Implications: No

Advance Document Review:

Law: Yes, Completed by David Barberie, June 14, 2023

Risk Management: No

Fully Budgeted: Cost is included in the Issuance of the Bonds per the Ordinance authorizing the sale of the bonds.

Account Number: 1101-141401-1680-78401

This Fiscal Year Impact: Cost is included in the Issuance of the Bonds per the Ordinance authorizing the sale of the bonds.

Annual Impact: \$0

Project:

Activity:

Budget Reference:

Current Balance:

WHEREAS, the Lexington-Fayette Urban County Government, heretofore issued certain general obligation bonds, including, but not limited to, those listed on Exhibit A hereto, which were authorized and issued pursuant to the respective Ordinances and for the respective purposes set forth therein (collectively, the "Prior Bonds"); and

WHEREAS, the Lexington-Fayette Urban County Government has determined that due to the

present conditions of the municipal market it is advantageous and in the best interests of the Lexington-Fayette Urban County Government for the purpose of realizing interest cost savings (as determined by the Commissioner of Finance) to proceed with the advertisement of bids for the purchase of its Various Purpose General Obligation Refunding Bonds, Series 2023B (the "Series 2023B Bonds") in one or more subseries, on a tax-exempt or taxable basis in a principal amount not to exceed \$75,000,000, in order to provide funds to (i) refund all or a portion of the Prior Bonds and (II) pay the costs of issuing the Series 2023B Bonds; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (THE "URBAN COUNTY COUNCIL"):

SECTION 1. The Lexington-Fayette Urban County Government shall issue its Series 2023B Bonds in one or more subseries, on a tax-exempt or taxable basis in a principal amount not to exceed \$85,000,000 (provided that the refunding of the Prior Bonds shall result in debt service savings for the Lexington-Fayette Urban County Government as determined by the Commissioner of Finance and the municipal advisor to the Lexington-Fayette Urban County Government) in order to provide funds to (i) refund all or a portion of the Prior Bonds and (II) pay the costs of issuing the Series 2023B Bonds.

SECTION 2. The Lexington-Fayette Urban County Government shall comply with the requirements of Chapter 66 and 424 of the Kentucky Revised Statutes by advertising for bids for the purchase of the Series 2023B Bonds. Advertisement May be publicized by newspaper publication in The Courier-Journal, published in Louisville, Kentucky; the Lexington Herald-Leader, published in Lexington, Kentucky; and The Bond Buyer, published in New York City, New York; or, in the alternative, by posting a notice of sale to a nationally recognized electronic bidding system. The Mayor, the Clerk of the Urban County Council, the Commissioner of Finance and/or Chief Administrative Officer are hereby authorized to prepare such instruments and to distribute such information as shall be necessary to accomplish the foregoing, including preparation of a Preliminary Official Statement (the "Preliminary Official Statement") which Preliminary Official Statement is to be deemed final in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"). In order to enable prospective purchasers to submit bids for the purchase of the Series 2023B Bonds, the Lexington-Fayette Urban County Government hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate (the "Continuing Disclosure Certificate") in connection with the issuance of the Series 2023B Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Series 2023B Bonds; however, any holder of the Series 2023B Bonds, including the beneficial owners of the Series 2023B Bonds, May take such action as May be necessary and appropriate, including seeking specific performance, to cause the Lexington-Fayette Urban County Government to comply with its obligations under the Continuing Disclosure Certificate. Further, the Mayor is hereby authorized and directed on behalf of the Lexington-Fayette Urban County Government to execute all such instruments as shall be necessary to accomplish all of the foregoing.

SECTION 3. Such proposals shall be received and reviewed by the Commissioner of Finance, and

shall be acted upon by the Mayor on that same day in accordance with the terms of the bond Ordinance with respect to the Series 2023B Bonds. The Lexington-Fayette Urban County Government hereby approves the "Notice of Bond Sale," substantially in the form attached hereto to be published as required by law.

SECTION 4. The Mayor shall, in a certificate of award accepting the successful bid for the Series 2023B Bonds (the "Certificate of Award"), determine the exact principal amount of Series 2023B Bonds to be issued, the subseries designations of the Series 2023B Bonds, the rate or rates of interest which said Series 2023B Bonds shall bear, redemption provisions and the interest rate or rates on said Series 2023B Bonds shall be automatically fixed at the rate or rates set out in the successful bid accepted by said Certificate of Award. The proceeds of the sale of the Series 2023B Bonds shall be applied to the costs of the refunding of all or a portion of the Prior Bonds and paying the costs of issuance of the Series 2023B Bonds, and shall be expended as provided in the bond Ordinance authorizing the Series 2023B Bonds.

SECTION 5. In the event that no bid shall be accepted for the purchase of the Series 2023B Bonds, bids May again be solicited for the purchase of the Series 2023B Bonds at a future date and hour at the discretion of the Mayor and the Commissioner of Finance, without the necessity of further authorization by the Urban County Council of the Lexington-Fayette Urban County Government.

SECTION 6. All Resolutions or orders or parts thereof, if any, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

SECTION 7. This Resolution shall become effective upon the date of its passage.

INTRODUCED AND GIVEN FIRST READING AND SECOND READING AND ADOPTED at a duly convened meeting of Urban County Council of the Lexington-Fayette Urban County Government held on the ____ day of _____, 2023, signed by the Mayor, attested under seal by the Clerk of Urban County Council, and ordered to be published, filed and indexed as provided by law.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

By:

Linda Gorton

Mayor

ATTEST:

By:

Abigail Allan

Urban County Council Clerk

CERTIFICATE

I, the undersigned, Urban County Council Clerk of the Lexington-Fayette Urban County Government, do hereby certify that the foregoing Resolution is a true and complete copy of a certain Resolution duly adopted by the Urban County Council of said Lexington-Fayette Urban County Government at a lawfully convened meeting of the Urban County Council of the Lexington-Fayette Urban County Government held on _____, 2023, signed by the Mayor and now in full force and effect, all as appears from the official records of the Lexington-Fayette Urban County Government in my possession and under my control.

I do hereby further certify that said Resolution has not been amended, modified, superseded or repealed and that same remains in full force and effect as of the date of this Certificate.

WITNESS my hand as of this ____ day of _____, 2023.

Abigail Allan

Urban County Council Clerk

CERTIFICATE

I do hereby certify that the title to this enactment contains an accurate synopsis of the contents thereof and May be used to satisfy the reading and publication requirements of law.

DINSMORE & SHOHL LLP

By:

John C. Merchant, Esq.

EXHIBIT A

THE PRIOR BONDS

Pursuant to the foregoing Bond Ordinance, all or a portion of the outstanding general obligation bonds of the Lexington-Fayette Urban County Government, including, but not limited to, the outstanding general obligation bonds listed in the following table (collectively, the "Prior Bonds"), May be refunded with a portion of the proceeds of its Refunding Obligations or additional general obligation refunding bonds to be issued pursuant thereto.

1. Bond Issue: \$70,610,000 Taxable General Obligation Pension Funding Bonds, Series 2009B, dated April 2, 2009

(A) Authorizing Ordinance: Ordinance No. 33-2009

(B) Purpose: (i) funding certain unfunded liabilities to the Policemen's and Firefighters' Retirement Fund of the Lexington-Fayette Urban County Government based on computations set forth in

actuarial reports dated July 1, 2008, and (II) paying the costs of issuance of the Series 2009B Bonds.

2. Bond Issue: \$6,275,000 Various Purpose General Obligation Refunding Bonds, Series 2012B, dated June 21, 2012

(A) Authorizing Ordinance(s): Ordinance No. 65-2012

(B) Purpose: (i) advance refund a portion of the outstanding principal amount of the \$4,570,000 Lexington-Fayette Urban County Government General Obligation Bonds, Series 2002C and the \$9,640,000 Lexington-Fayette Urban County Government General Obligation Bonds (Day Treatment Center, Multi-Use Facility and Expansion Area Boulevard Projects), Series 2004C and (II) pay the costs of issuance of the Series 2012B Bonds.

3. Bond Issue: \$6,005,000 Various Purpose General Obligation Refunding Bonds, Series 2013B, dated March 28, 2013

(A) Authorizing Ordinance(s): Ordinance No. 28-2013

(B) Purpose: (i) advance refund a portion of the outstanding principal amount of the \$9,640,000 Lexington-Fayette Urban County Government General Obligation Bonds (Day Treatment Center, Multi-Use Facility and Expansion Area Boulevard Projects), Series 2004C (the "Series 2004C Bonds"), (II) advance refund a portion of the outstanding principal amount of and the \$4,490,000 Lexington-Fayette Urban County Government General Obligation Bonds, Series 2005C (the "Series 2005C Bonds"), (III) advance refund a portion of the outstanding principal amount of and the \$10,310,000 Lexington-Fayette Urban County Government General Obligation Bonds (Stormwater Improvements, Neighborhood Redeployment, Bluegrass Aspendale Parkway, Veterans Park Fire Station and Police Car Projects), Series 2006B, (the "Series 2006B Bonds" and, together with the Series 2004C Bonds and the Series 2005C Bonds, the "Prior Bonds"), and (v) pay the costs of issuance of the Series 2013B Bonds.

4. Bond Issue: \$55,925,000 Various Purpose General Obligation Refunding Bonds, Series 2014A, dated May 1, 2014

(A) Authorizing Ordinance(s): Ordinance No. 108-2013

(B) Purpose: (i) refund the entire outstanding principal amount of \$60,470,000 of the Lexington-Fayette Urban County Government Taxable General Obligation Public Project Bonds, Series 2010A (Build America Bonds - Direct Pay), originally issued in the principal amount of \$69,320,000; and (II) pay the costs of issuance of the Series 2014A Bonds.

5. Bond Issue: \$24,245,000 Various Purpose General Obligation Bonds, Series 2014B, dated December 16, 2014

(A) Authorizing Ordinance(s): Ordinance No. 140-2014

(B) Purpose(s) (i) financing managed email solution/exchange, storage area network, new tax

revenue system, procurement website upgrade, Accela software, network infrastructure remediation, Police patrol transport wagon, general repairs, life safety, autos vehicle replacement, pothole patcher, public safety ops/Lexcall center, sidewalk and catch basin repair, sidewalks, jail management system, public safety radio system, roof repair and replacement, HV AC repair and replacement, infrastructure improvements, Shillito multipurpose sports fields, Carver Center improvements, dugout replacement, aquatics improvements, Kentucky Theatre concession renovation, Fire training tower, land acquisition and Fire station design #24 and relocation of Fire station #2, (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights, (III) construction of a new senior center; and (II) pay the costs of issuance of the Series 2014B Bond

6. Bond Issue: \$19,845,000 Various Purpose General Obligation Refunding Bonds, Series 2015A, dated June 3, 2015

(A) Authorizing Ordinance(s): Ordinance No. 023-2015

(B) Purpose: (a) refunding all or a portion of the remaining outstanding principal amount of the (i) \$2,055,000 Lexington Fayette Urban County Government General Obligation Bonds, Series 2006C (Development Rights Project) (the "Series 2006C Bonds,"), (II) \$24,830,000 Lexington-Fayette Urban County Government General Obligation Various Purpose Bonds, Series 2009A (the "Series 2009A Bonds"), and/or (III) \$8,950,000 Lexington-Fayette Urban County Government Various Purpose General Obligation Public Projects Bonds, Series 2010G (Federally Taxable - Recovery Zone Economic Development Bonds -Direct Payment to the Issuer) (the "Series 2010G Bonds" and together with the Series 2006C Bonds, and the Series 2009A Bonds and (b) paying the costs of issuance of the Series 2015A Bonds.

7. Bond Issue: \$24,860,000 Various Purpose General Obligation Bonds, Series 2015B, dated September 29, 2015

(A) Authorizing Ordinance(s): Ordinance No. 103-2015

(B) Purpose: (i) financing the acquisition of various projects for dept.s within the Lexington-Fayette Urban County Government, including, but not limited to, (i) software system upgrades, safety operations center and other safety related projects, Rd. resurfacing, Rd. maintenance, Rd. upgrades and street scapes, renovations, repairs and upgrades related to public buildings, renovations, repairs and upgrades related to park projects, and providing financial assistance to Bluegrass Community and Technical College for the construction of a new facility to be owned by Bluegrass Community and Technical College, and (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights; and (III) paying the costs of issuance of the Series 2015B Bonds.

8. Bond Issue: \$22,450,000 Taxable General Obligation Bonds, Series 2016A (Historic Courthouse Project), dated June 21, 2016

(A) Authorizing Ordinance(s): Ordinance No. 92-2016

(B) Purpose: restoring, rehabilitating and adaptively re-using the historic Fayette County Courthouse (the "Historic Courthouse Project") located at 215 West Main Street in downtown Lexington, Fayette County, Kentucky by providing economic development assistance to the Historic Courthouse Project and financing an economic redevelopment Grant in the amount of \$22,450,000; and (II) paying certain costs related to the issuance of the Series 2016A Bonds.

9. Bond Issue: \$8,870,000 Tax-Exempt Various Purpose General Obligation Bonds Series 2016B, dated June 21, 2016

(A) Authorizing Ordinance(s): Ordinance No. 93-2016

(B) Purpose: (i) the design and infrastructure improvements for Town Branch Commons Corridor an innovative multimodal greenway that will link two regional trail systems, the Legacy Trail and Town Branch Trail; (II) sidewalk improvements and enhancements located in the Versailles Road area; and (III) street improvements including widening, opening, extending, realigning, grading, repaving, resurfacing otherwise rehabilitating and improving streets, Rd.s, thoroughfares, avenues, expressways, sidewalks, plazas and other public ways throughout Lexington, Fayette County; and (iv) paying the costs of issuance of the Series 2016B Bonds.

10. Bond Issue: \$37,555,000 Various Purpose General Obligation Bonds, Series 2016C, dated September 30, 2016

(A) Authorizing Ordinance(s): Ordinance No. 148-2016

(B) Purpose: financing the acquisition of various projects for dept.s within the Lexington-Fayette Urban County Government, including, but not limited to, (i) the construction, installation and equipping of a new Fire station, software system upgrades, safety operations and other safety related projects, Rd. resurfacing, Rd. maintenance, Rd. upgrades, street scapes and sidewalk improvements, renovations, repairs and upgrades related to public buildings, renovations, repairs and upgrades related to park projects, and providing financial assistance to Lexington Center Corporation for the expansion and replacement of the Lexington Convention Center, (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights; and (III) paying certain costs related to the issuance of the Series 2016C Bonds.

11. Bond Issue: \$32,435,000 Various Purpose General Obligation Bonds, Series 2017A, dated September 27, 2017

(A) Authorizing Ordinance: Ordinance No. 133-2017

(B) Purpose: (i) financing the construction, installation, renovations, repairs and upgrades and equipping of Fire stations, software system upgrades, safety operations and other safety related projects, new Firetrucks, new Police equipment, new Police cars, Rd. resurfacing, Rd. maintenance,

Rd. upgrades, street scapes and sidewalk improvements, renovations, repairs and upgrades related to public buildings, renovations, repairs and upgrades related to park projects, and various other improvements within dept.s of the Lexington-Fayette Urban County Government, (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights, and (III) paying certain costs related to the issuance of the Series 2017A Bonds.

12. Bond Issue: \$22,445,000 Taxable General Obligation Pension Funding Refunding Bonds, Series 2017B, dated September 27, 2017

(A) Authorizing Ordinance: Ordinance No. 134-2017

(B) Purpose: (i) refunding a portion in the principal amount of \$19,990,000 of the remaining outstanding principal amount of the Lexington-Fayette Urban County Government Taxable General Obligation Pension Funding Bonds, Series 2010D, originally issued in the principal amount of \$35,825,000, the proceeds of which were used for the purpose of funding certain unfunded liabilities to the Policemen's and Firefighters' Retirement Fund of the Lexington-Fayette Urban County Government, and (II) paying the costs of issuance of the Series 2017B Bonds.

13. Bond Issue: \$42,055,000 Various Purpose General Obligation Bonds, Series 2018A, dated September 25, 2018

(A) Authorizing Ordinance(s): Ordinance No. 055-2018

(B) Purpose: (i) financing the construction, installation, renovations, repairs and upgrades and equipping of Fire stations, safety operations and other safety related projects, new Firetrucks, new Police equipment, new Police cars, Rd. resurfacing, Rd. maintenance, Rd. upgrades, streetscapes and sidewalk improvements, pedestrian safety improvements, renovations, repairs and upgrades related to public buildings, renovations, repairs and upgrades related to park projects, providing financial assistance to the Lexington Center Corporation for the expansion and replacement of the Lexington Convention Center and various other improvements within dept.s of the Lexington-Fayette Urban County Government, and (II) paying certain costs related to the issuance of the Series 2018A Bonds.

14. Bond Issue: \$18,110,000 Various Purpose General Obligation Bonds, Series 2019, dated November 13, 2019

(A) Authorizing Ordinance: Ordinance No. 73-2019

(B) Purpose: (i) financing the repairs and upgrades and equipping of Fire stations, safety operations, new Firetrucks and other Fire safety related projects, new Police equipment, new Police cars, Rd. resurfacing, Rd. maintenance, Rd. upgrades, streetscapes and sidewalk improvements, pedestrian safety improvements, renovations, repairs and upgrades related to public buildings, new voting machines and various other improvements within dept.s of the Lexington-Fayette Urban County Government, (II) providing funding for a Program to preserve and manage agricultural, rural

and natural lands, including the purchase of conservation easements or development rights, and (III) paying certain costs related to the issuance of the Series 2019 Bonds.

15. Bond Issue: \$6,800,000 Various Purpose General Obligation Bonds, Series 2020A, dated September 30, 2020

(A) Authorizing Ordinance(s): Ordinance No. 78-2020

(B) Purpose: (i) financing the acquisition of various projects for dept.s within the Lexington-Fayette Urban County Government and (II) paying certain costs related to the issuance of the Series 2020A Bonds.

16. Bond Issue: \$19,645,000 Taxable General Obligation Pension Funding Refunding Bonds, Series 2020B, dated September 30, 2020

(A) Authorizing Ordinance(s): Ordinance No. 39-2020

(B) Purpose: (i) refunding a portion in the principal amount of \$17,875,000 of the remaining outstanding principal amount of the Lexington-Fayette Urban County Government Taxable General Obligation Pension Funding Bonds, Series 2012A, originally issued in the principal amount of \$31,000,000, and (II) paying certain costs related to the issuance of the Series 2020B Bonds.

17. Bond Issue: \$11,485,000 Various Purpose General Obligation Refunding Bonds, Series 2020C (Federally Taxable), dated September 30, 2020

(A) Authorizing Ordinance(s): Ordinance No. 39-2020

(B) Purpose: (i) refunding a portion in the principal amount of \$10,080,000 of the remaining outstanding principal amount of the Lexington-Fayette Urban County Government Various Purpose General Obligation Bonds, Series 2013C, originally issued in the principal amount of \$17,035,000, and (II) paying certain costs related to the issuance of the Series 2020C Bonds.

18. Bond Issue: \$18,200,000 Various Purpose General Obligation Refunding Bonds, Series 2020D (Federally Taxable), dated September 30, 2020

(A) Authorizing Ordinance(s): Ordinance No. 39-2020

(B) Purpose: (i) refunding a portion in the principal amount of \$15,040,000 of the remaining outstanding principal amount of the Lexington-Fayette Urban County Government Various Purpose General Obligation Bonds, Series 2014B, originally issued in the principal amount of \$24,245,000, and (II) paying certain costs related to the issuance of the Series 2020D Bonds

19. Bond Issue: \$27,200,000 Various Purpose General Obligation Bonds, Series 2022A, dated

March 10, 2022

(A) Authorizing Ordinance(s): Ordinance No. 127-2021

(B) Purpose: (i) financing the repairs and upgrades and equipping of Fire stations, safety operations, new Firetrucks and other Fire safety related projects, new Police equipment, new Police cars, Rd. resurfacing, Rd. maintenance, Rd. upgrades, streetscapes and sidewalk improvements, pedestrian safety improvements, renovations, repairs and upgrades related to public buildings, park playground equipment, and various other improvements within dept.s of the Lexington-Fayette Urban County Government, (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, including the purchase of conservation easements or development rights, and (III) paying certain costs related to the issuance of the Series 2022A Bonds.

20. Bond Issue: \$43,460,000 Various Purpose General Obligation Bonds, Series 2022B, dated August 10, 2022

(A) Authorizing Ordinance(s): Ordinance No. 68-2022

(B) Purpose: (i) financing the roof repair and replacement at the detention center, new Firetrucks and other Fire safety related projects, new Police cars, Rd. construction and improvements, Rd. resurfacing, Rd. maintenance, Rd. upgrades, streetscapes and sidewalk improvements, public art and beautification projects, pedestrian safety improvements, renovations, repairs and upgrades related to public buildings, vehicle acquisitions, park playground equipment and various other improvements within dept.s of the Lexington-Fayette Urban County Government, (II) providing funding for a Program to preserve and manage agricultural, rural and natural lands, and (III) paying certain costs related to the issuance of the Series 2022B Bonds.

EXHIBIT B

FORM OF NOTICE OF BOND SALE

Notice is hereby given that electronic bids will be received by the Commissioner of Finance of the Lexington-Fayette Urban County Government until 11:00 a.m., E.T. on _____, _____, 2023 with respect to the principal amount of approximately \$_____ of Various Purpose General Obligation Refunding Bonds, Series 2023B, (the "Series 2023B Bonds"); (or at such later time and date announced by noon, E.T. on the day preceding the Bid Opening via the Parity® system or the Thomson Municipal News wire). The Series 2021 Bonds will be dated their date of initial delivery, being fully registered bonds in denominations in multiples of \$5,000 (within the

same maturity). The Series 2023B Bonds mature as to principal in varying amounts on October 1 in varying amounts in each of the years _____ through _____. Electronic bids May be submitted via BiDCOMP™/PARITY™, in the manner described below.

Electronic bids must be submitted through BiDCOMP/Parity®, as described in the Official Terms and Conditions of Bond Sale related to the Series 2023B Bonds which are included in the Preliminary Official Statement contained in the Preliminary Official Statement, available from the undersigned, at www.idealprospectus.com, or from the Financial Advisors: Robert W. Baird & Co. Incorporated, 500 West Jefferson Street, Louisville, Kentucky 40202, Attention Mr. Chip Sutherland (502) 588-8462 or Hilltop Securities Inc., 6100 Fairview Rd, Suite 550, Charlotte, North Carolina 28210, Attention: Mr. Michael Newman. No other form of bid or provider of electronic bidding services will be accepted. For further information regarding BiDCOMP/Parity®, potential bidders May contact BiDCOMP/Parity®, telephone (877) 588-5030.

The Preliminary Official Statement has been deemed “final” by the Corporation within the meaning of Securities and Exchange Commission Rule 15c2-12. For further information regarding PARITY®, potential bidders May contact PARITY®, telephone (800) 850-7422. In order to assist bidders in complying with the continuing disclosure requirements of the Rule, the Lexington-Fayette Urban County Government will undertake in a Continuing Disclosure Certificate to be delivered at closing, to provide to the applicable repositories annual reports and notices of certain material events with respect to the Series 2023B Bonds. Reference is made to the Official Terms and Conditions of Bond Sale contained in the Preliminary Official Statement for further details and bidding conditions.

Sale of the Series 2023B Bonds subject to the approving legal opinion of Dinsmore & Shohl LLP, Bond Counsel, Cincinnati, Ohio. The Series 2023B Bonds have not been designated as “qualified tax-exempt obligations” within the meaning of §265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Lexington-Fayette Urban County Government reserves the right to reject any and all bids or to waive informality.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

By: /s/ Linda Gorton

Title: Mayor