

EMERGENCY

City of Cincinnati

An Ordinance No. 234

EESW
-2026

PROVIDING FOR THE ISSUANCE OF BONDS BY THE CITY OF CINCINNATI, OHIO IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$279,265,000 FOR THE PURPOSE OF PROVIDING FOR THE REFUNDING AND/OR THE CASH DEFEASANCE (WITH MONIES AVAILABLE FOR SUCH PURPOSE), OF ALL OR A PORTION OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY, INCLUDING, BUT NOT LIMITED TO, THE OUTSTANDING GENERAL OBLIGATION BONDS LISTED ON ATTACHMENT A

WHEREAS, the City of Cincinnati, Ohio (the "City") previously authorized and issued certain general obligation bonds, including, but not limited to, those listed on Attachment A, which were authorized and issued pursuant to the respective ordinances listed therein and for the respective purposes set forth therein (collectively, the "Prior Bonds"); and

WHEREAS, the Director of Finance projects that, in the current interest rate climate, the refunding and/or cash defeasance of all or a portion of the outstanding Prior Bonds will result in interest cost savings to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, at the time of the issuance of each series of the Prior Bonds, estimated that the life of the respective improvements financed with the proceeds of each series of the Prior Bonds was at least five years and provided certification as to the maximum maturity of each of the respective series of the Prior Bonds, which was at least five years (as further provided in the authorizing ordinance and related certifications in connection with each series of the Prior Bonds); and

WHEREAS, the maturity date of any refunding bonds will not exceed the weighted average remaining maximum maturity of any Prior Bonds to be refunded, to be set forth in the Fiscal Officer's Certificate (as defined below) following the determination as to which, if any, of the Prior Bonds will be refunded; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

SECTION 1. That it is necessary to (a) issue bonds in the principal amount not to exceed \$279,265,000 and/or (b) provide for and authorize the cash defeasance, with monies available for such purpose, of all or a portion of the Prior Bonds (together the "Refunded/Defeased Prior Bonds"), which were originally issued to finance various improvements throughout the City, refund previously outstanding bonds of the City, and pay legal, advertising, printing and all expenses incidental to said improvements (as set forth in Attachment A). This Council determines that the refunding and/or defeasance of the Refunded/Defeased Prior Bonds will be for a proper public and municipal purpose and in the best interests of the City.

That, with respect to any Prior Bonds to be refunded (the "Refunded Prior Bonds"), bonds be issued in the principal amount not to exceed \$279,265,000 for the purpose aforesaid. The bonds shall be designated "City of Cincinnati, Ohio Unlimited Tax Various Purpose General Obligation

Refunding Bonds” (the “Series 2026B Bonds”) or as otherwise determined by the Director of Finance including the issuance of tax-exempt and/or taxable series of bonds as further provided in and set forth in the fiscal officer’s certificate (the “Fiscal Officer’s Certificate”). The final principal amount of the Series 2026B Bonds shall be established by the Director of Finance. That said Series 2026B Bonds shall be dated as determined by the Director of Finance, of the denomination of \$5,000 each, or any integral multiple thereof, or such other denomination, numbered sequentially as determined by the Director of Finance, and shall bear interest at the rate, or rates, not in excess of six percent per annum, payable semiannually on such dates as determined by the Director of Finance in the Certificate of Award (as defined herein), until the principal sum is paid. Said Bonds shall mature or be subject to mandatory sinking fund redemption on such date of each year and in such maturities and mandatory sinking fund redemption amounts to be determined by the Director of Finance, in the Certificate of Award. The Certificate of Award will specify whether the Series 2026B Bonds are callable (and associated call features) or non-callable.

Notice of the call for redemption of said Series 2026B Bonds, specifying the numbers of the Series 2026B Bonds to be redeemed, shall be sent by the Bond Registrar (as defined below) by registered or certified mail to the registered holders thereof, not less than thirty days nor more than sixty days prior to the date of redemption, upon which date all interest upon said Series 2026B Bonds or portions thereof so called shall cease except those as to which default shall be made, upon presentation, in the payment of the redemption price. Prior to any notice of call for redemption, funds for such redemption shall be on deposit with the Bond and the City shall direct the Bond Registrar in writing to make any notice of call for redemption.

The maturity date of the Series 2026B Bonds will not exceed the weighted average remaining maximum maturity of any Refunded Prior Bonds, to be set forth in the Fiscal Officer’s Certificate, following the determination as to which, if any, of the Prior Bonds will be refunded.

SECTION 2. That said Series 2026B Bonds shall express upon their face the purpose for which they are issued and that they are issued pursuant to this ordinance, Chapter 303 of the Cincinnati Municipal Code (“CMC”), R.C. Chapter 133, and the Charter of the City (the “Charter”). The Series 2026B Bonds shall bear the facsimile signature of the Mayor and the manual signature of the Director of Finance, and shall bear the manual authenticating signature of the Bond Registrar. The Series 2026B Bonds shall also bear the corporate seal of the City or a facsimile thereof. The Series 2026B Bonds shall be issued in fully registered form. The Series 2026B Bonds shall be payable as to principal upon the presentment and surrender for cancellation of the Series 2026B Bonds, in lawful money of the United States of America at the Bond Registrar, and the interest thereon shall be paid by the Bond Registrar on each interest payment date to the person whose name appears on the bond registration records as the registered holder thereof, by wire transfer, check or draft mailed to such registered holder at the registered holder’s address as it appears on such registration records.

SECTION 3. That, to provide the necessary funds to pay the interest on the foregoing issue of Series 2026B Bonds promptly when and as the same falls due, and also to provide for the discharge of said Series 2026B Bonds at maturity and for the payment of mandatory sinking fund redemptions, there shall be and is levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period said Series 2026B Bonds are outstanding, outside of the limitations imposed by Article XII, Section 2, of the Ohio Constitution and R.C. Section 5705.02, and by virtue of Section 4 of Article VIII of the Charter, in an amount sufficient to provide for the payment of said interest, when and as the same shall fall due, and also to

discharge the principal of said Series 2026B Bonds at maturity and to pay mandatory sinking fund redemptions, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution.

Said tax shall be, and is hereby ordered to be, computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended, and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies required shall be placed in a separate and distinct fund which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Series 2026B Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Series 2026B Bonds in any year, the amount of said tax for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Series 2026B Bonds in accordance with law. With respect to certain of the Series 2026B Bonds, in addition to the tax pledge contained above, this Council, for the City, covenants to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect such municipal income taxes in, amounts necessary to meet debt service charges on the Series 2026B Bonds.

With respect to a portion of the Series 2026B Bonds, the City may covenant to annually appropriate Revenues, as defined and provided in the various ordinances identified in Attachment A, as all such taxes and revenues, other than ad valorem property taxes, in amounts necessary to meet debt service charges on the Series 2026B Bonds.

SECTION 4. That U.S. Bank Trust Company, National Association, Cincinnati, Ohio is hereby appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Series 2026B Bonds. So long as any of the Series 2026B Bonds remain outstanding, the Bond Registrar shall maintain, at its office, all books and records necessary for the registration, exchange and transfer of Series 2026B Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 4 hereof, the person in whose name any Series 2026B Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any of the Series 2026B Bonds shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Series 2026B Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Series 2026B Bonds, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Series 2026B Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Series 2026B Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

Any Series 2026B Bonds may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of

attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate, and deliver new Series 2026B Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Series 2026B Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange any of the Series 2026B Bonds for a period of fifteen days next preceding the date of its maturity.

In all cases in which Series 2026B Bonds are exchanged or transferred hereunder, the City shall cause to be executed, and the Bond Registrar shall authenticate and deliver, Series 2026B Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Series 2026B Bonds. All Series 2026B Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Series 2026B Bonds surrendered upon that transfer or exchange.

If at any time the Director of Finance determines that it is in the best interest of the City that another bank or other appropriate financial institution experienced in providing the services of authenticating agent, bond registrar, transfer agent and paying agent should serve as Bond Registrar, or co-Bond Registrar in addition to the Bond Registrar, then the Director of Finance shall, and each is hereby authorized to execute on behalf of the City a Bond Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Bond Registrar or co-Bond Registrar for the Series 2026B Bonds. If at any time such bank or financial institution shall be unable or unwilling to serve as Bond Registrar or co-Bond Registrar, or the Director of Finance, in such officer's discretion, shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to, enter into an agreement with another banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar or co-Bond Registrar hereunder. Each such successor Bond Registrar (or co-Bond Registrar) shall promptly advise all bondholders of the change in identity and its address.

SECTION 5. That the distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Series 2026B Bonds is hereby authorized if the Director of Finance determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Series 2026B Bonds (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds authorized by separate ordinances of this Council). If the Director of Finance so determines, then the Director of Finance and City Manager are hereby authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Series 2026B Bonds, and they are authorized and directed to advise the Original Purchaser (as defined herein) in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Series 2026B Bonds as they deem necessary or appropriate to protect the interests of the City. The Director of Finance, City Manager, and City Solicitor for the City are each authorized to execute and deliver, on behalf of the City and

in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The obtaining or updating of a rating or ratings on the Series 2026B Bonds and the City is hereby authorized if the Director of Finance determines that it is necessary or advisable in connection with the original issuance of the Series 2026B Bonds. If the Director of Finance so determines, then the Director of Finance and City Manager are hereby authorized and directed to take all steps necessary to obtain such rating or ratings.

SECTION 6. That said Series 2026B Bonds shall be first offered to the City Treasurer as the officer in charge of the Bond Retirement Fund of said City, and if not taken by the Treasurer, may be offered to the Treasury Investment Account for purchase, and, if not offered to or taken by such account, the Director of Finance is authorized to award and sell the Series 2026B Bonds at public or private sale, in the Director of Finance's sound discretion without further action by this Council, at such price (but not less than 97 percent of par, excluding original issue discount) as is determined by the Director of Finance, plus accrued interest on the aggregate principal amount of the Series 2026B Bonds from their dates to the date of delivery and payment. The City Manager or Director of Finance is authorized to make arrangements for the delivery of the Series 2026B Bonds to, and payment thereof by, the purchaser or purchasers thereof at the price determined by the Director of Finance; and the City Manager or Director of Finance is authorized to execute a purchase agreement (including the Certificate of Award) for the Series 2026B Bonds without further action by this Council. The Director of Finance is hereby authorized to execute a purchase agreement for the Series 2026B Bonds provided that the true interest cost for the Series 2026B Bonds shall not exceed six percent per annum.

The Director of Finance, in such officer's discretion, is authorized to waive the requirements of CMC Section 303-7 and to direct the sale of the Series 2026B Bonds in whatever manner the Director deems appropriate.

SECTION 7. That certain of the Series 2026B Bonds or a series thereof (the "Tax-Exempt Series 2026B Bonds") may be issued as obligations the interest on which is excludable from gross income for purposes of federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Tax-Exempt Series 2026B Bonds is and will continue to be excluded from gross income for federal income tax purposes, under applicable provisions of the Code. The City further covenants that it shall restrict the use of the proceeds of the Tax-Exempt Series 2026B Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Tax-Exempt Series 2026B Bonds are issued, so that they will not constitute arbitrage securities under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Manager, City Solicitor, Director of Finance, Deputy Finance Director, and Treasurer are hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Tax-Exempt Series 2026B Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Tax-Exempt Series 2026B Bonds or interest thereon or assisting compliance with

requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Manager, City Solicitor, Director of Finance, Deputy Finance Director, or Treasurer, which action shall be in writing and signed by the City Manager, City Solicitor, Director of Finance, Deputy Finance Director, or Treasurer, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure such exclusion of interest from gross income and the intended tax status of the Tax-Exempt Series 2026B Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Tax-Exempt Series 2026B Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Tax-Exempt Series 2026B Bonds which limits the amount of proceeds of the Tax-Exempt Series 2026B Bonds that may be invested at an unrestricted yield or requires the City to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Tax-Exempt Series 2026B Bonds requires any such reports or rebates, and moneys necessary to make such rebates are hereby appropriated for such purpose. The payment of any rebate arbitrage profits (or penalties in lieu thereof) made to the United States Department of the Treasury shall be authorized and paid from such fund or funds as determined by the Director of Finance.

SECTION 8. That the Director of Finance is authorized to certify a copy of this ordinance to the County Auditor of Hamilton County, Ohio, according to law and do all things necessary to comply with Sections 1 through 7.

SECTION 9. That, pursuant to the provisions of R.C. Section 133.30, the Series 2026B Bonds may be consolidated into a single issue with other bonds which have been authorized by this Council as determined by the Director of Finance.

The Director of Finance is authorized and directed to cause the Series 2026B Bonds to be sold by competitive sale or by negotiated sale. If the Series 2026B Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the Director of Finance. After publication of such Notice of Sale, the Series 2026B Bonds may be awarded and sold to such purchaser (the "Competitive Purchaser") as shall offer, in the opinion of the Director of Finance, the best rate of interest on the Series 2026B Bonds.

If the Series 2026B Bonds are sold on a negotiated basis, the Series 2026B Bonds shall be sold to the purchaser or purchasers (collectively, the "Negotiated Purchaser," and together with the Competitive Purchaser, the "Original Purchaser") designated in the Certificate of Award. The Director of Finance is authorized and directed to execute on behalf of the City a purchase agreement with the Negotiated Purchaser (which agreement may be combined with the purchase

agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Series 2026B Bonds are to be sold and delivered, which agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the City Auditor or the Director of Finance and Management and approved as to form by the City Solicitor.

The Director of Finance is authorized and directed to execute on behalf of the City a certificate of award (the "Certificate of Award"), which shall identify the Original Purchaser for the Series 2026B Bonds, the aggregate principal amount of the Series 2026B Bonds, the denominations of the Series 2026B Bonds, the dated date of the Series 2026B Bonds, the purchase price, the specified interest rates, the principal retirement dates, the principal retirement schedule, mandatory redemption dates, mandatory sinking fund requirements, term bonds, term maturity dates, the earliest optional redemption date and the optional redemption prices and shall include such additional information as shall be required by the terms of this Ordinance.

SECTION 10. That the Series 2026B Bonds, or any portion thereof, may be initially issued to a Depository for use in a book-entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) the Series 2026B Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book-entry form shall have no right to receive Series 2026B Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Series 2026B Bonds in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (iv) the Series 2026B Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Principal of and premium, if any, and interest on Series 2026B Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Series 2026B Bonds as provided in this Ordinance.

The Bond Registrar may enter into an agreement with the beneficial owner or registered owner of any of the Series 2026B Bonds in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on those Series 2026B Bonds or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of such Series 2026B Bonds, upon any conditions which shall be satisfactory to the Bond Registrar and the City. That payment shall be made to the person who is the registered owner of such Series 2026B Bonds on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for the Series 2026B Bonds and to the City. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Manager, City Solicitor, Director of Finance, Deputy Finance Director, or Treasurer are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the Bond Registrar, and The Depository Trust Company, as Depository, to be delivered, in connection with the issuance of the Series 2026B Bonds to the Depository for use in a book-entry system.

If any Depository determines not to continue to act as a depository for the Series 2026B Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to have established a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Series 2026B Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Series 2026B Bonds), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Series 2026B Bonds may be transferred only through a book-entry and (ii) physical Series 2026B Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Series 2026B Bonds “immobilized” to the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Series 2026B Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of Series 2026B Bonds, and to effect transfers of Series 2026B Bonds, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

SECTION 11. That with respect to the funding of any escrow fund(s) (the “Escrow Fund”) necessary or appropriate in connection with any refunding of Prior Bonds with the proceeds of the Series 2026B Bonds, or any cash defeasance by the City (as further set forth herein) of Prior Bonds, the Director of Finance is authorized to execute one or more escrow agreements (each an “Escrow Agreement”) with a bank or trust company to be selected by the Director of Finance (the “Escrow Trustee”), for the refunding and/or cash defeasance of the Refunded/Defeased Prior Bonds, setting forth the terms by which the Escrow Fund shall be held and disbursed, if the Director of Finance determines that an Escrow Agreement is necessary or beneficial to facilitate the refunding of the Refunded Bonds. Such an Escrow Agreement shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine. The proceeds from the sale of the Series 2026B Bonds, except the accrued interest and premium thereon (if any), shall be deposited in the Escrow Fund along with such funds, if any, as the Director of Finance may transfer from the bond retirement fund. Such moneys deposited in the Escrow Fund may be (i) held as cash or (ii) used to purchase direct obligations of or obligations guaranteed as to payment by the United States of America (the “Escrow Securities”) of such maturities and interest payment dates and bearing interest at such rates as will, as certified by such independent public accounting firm as shall be

acceptable to the Director of Finance without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to pay the interest on, and the redemption price (including any redemption premium) of, the Refunded Bonds on the earliest optional redemption date for the Refunded Bonds. The Director of Finance is also authorized, if necessary or desirable to facilitate the refunding of the Refunded Bonds, to engage a consultant to verify the sufficiency of the cash or other obligations held in the Escrow Fund to refund the Refunded Bonds on such redemption date.

SECTION 12. The Director of Finance shall make a determination as to any Prior Bonds to be cash defeased (the "Defeased Prior Bonds"), which will enable the City to obtain net present value debt service savings with respect to such cash defeasance. Any such cash defeasance shall be effectuated by the deposit of monies available for such purpose, as cash and/or to be used to purchase Escrow Securities, into an escrow fund, as set forth in Section 11 above, in an amount sufficient to provide for all appurtenant principal and interest payments and all applicable redemption premiums, as the same shall become due thereon on the interest payment dates, maturity dates, or earlier redemption dates thereof, as further provided in an Escrow Agreement.

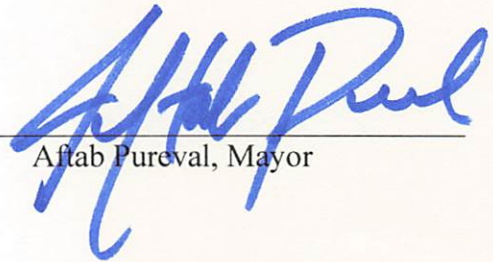
SECTION 13. To the extent the refunding of any of the Refunded Prior Bonds using the redemption provisions of the Refunded Prior Bonds would be treated as a taxable advance refunding under the Code, or in the case of Refunded Prior Bonds that are taxable bonds, a refunding using the redemption provisions of the Refunded Prior Bonds (as applicable) would not be advantageous to the City, the City may utilize a tender and exchange of Series 2026B Bonds of the appropriate tax status for one or more of the Refunded Prior Bonds (a "Tender and Exchange") as a means of refunding such Refunded Prior Bonds if such Tender and Exchange is advantageous to the City. The Director of Finance is authorized and directed to execute and deliver one or more documents used to make a tender offer for the Refunded Prior Bonds and the use thereof by any underwriter, dealer manager, or information agent is authorized and approved.

SECTION 14. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including R.C. Section 121.22.

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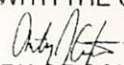
SECTION 15. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is that the sale of the Series 2026B Bonds or notes authorized herein may be required within thirty days of passage of the ordinance in order to take advantage of currently favorable interest rates.

Passed: June 17, 2026


Aftab Pureval, Mayor

Attest:


Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 234-2026
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 6/30/2026

CLERK OF COUNCIL