Lutz, Kelsey

From: Lutz, Kelsey
Sent: Tuesday, May 26, 2020 3:56 PM
To: Holzapfel, Jolayne R.
Subject: Omaha Public Facilities Corporation, Lse Rev Ref Bonds, 2020A - $21,055,000
Attachments: E3450_CITY_OF_OMAHA_PUBLIC_FACILITIES_CORPORATION.pdf

The attached bond information for the Omaha Public Facilities Corporation, Lease Revenue Refunding Bonds, Series 2020A, in the amount of $21,055,000, was received on May 26, 2020. It is filed in Book E, page 3450.

Kelsey Lutz
Business Manager
Nebraska Auditor of Public Accounts
State Capitol, Suite 2303
Lincoln, Nebraska 68509
Phone: 402-471-2111 Fax: 402-471-3301
kelsey.lutz@nebraska.gov

-----Original Message-----
From: no-reply@egov.com <no-reply@egov.com>
Sent: Tuesday, May 26, 2020 8:59 AM
To: Audits, APA <apa.audits@nebraska.gov>; Avery, Mary <mary.avery@nebraska.gov>; Lutz, Kelsey <kelsey.lutz@nebraska.gov>
Subject: New Bond Filing - City of Omaha Public Facilities Corporation

New bond filing for City of Omaha Public Facilities Corporation

Contact jolayne.holzapfel@kutakrock.com
Mail Registration Certificate to:
Kutak Rock LLP
Attention: Ms. Jolayne R. Holzapfel, Paralegal
1650 Farnam Street
Omaha Nebraska 68102

Comments Please contact me immediately if you have any questions or cannot complete this filing. Thank you.

CERTIFICATE OF ISSUANCE

I, the undersigned, President of the CITY OF OMAHA PUBLIC FACILITIES CORPORATION, a nonprofit corporation organized under the laws of the State of Nebraska (the "Public Facilities Corporation") DO HEREBY CERTIFY as true, complete and correct the following information for filing and recordation in the office of the Auditor of Public Accounts in accordance with Section 10-140, Reissue Revised Statutes of Nebraska, as amended:

1. ***Name of Issuer***: City of Omaha Public Facilities Corporation.

2. ***Title of Bonds***: City of Omaha Public Facilities Corporation Lease Revenue Refunding Bonds, Series 2020A.

3. ***Form of Bonds***: Fully registered without coupons.

4. ***Aggregate Principal Amount of Bonds***: $21,055,000.

5. ***Maturity Schedule and Interest Rates***:

Type	**Maturity Date (June 1)**	**Principal Amount**	**Interest Rate**	**Price**
Serial	2020	$ 400,000	0.80%	100.000%
Serial	2021	1,100,000	4.00	103.636
Serial	2022	1,100,000	4.00	106.680
Serial	2023	1,175,000	4.00	109.589
Serial	2024	1,225,000	4.00	112.561
Serial	2025	1,295,000	4.00	115.341
Serial	2026	1,000,000	4.00	117.962
Serial	2027	1,065,000	4.00	120.313
Serial	2028	1,130,000	4.00	122.415
Serial	2029	1,210,000	4.00	124.529
Serial	2030	1,280,000	4.00	126.394
Serial	2031	1,350,000	4.00	124.878
Serial	2032	1,245,000	4.00	124.235
Term	2036	6,480,000	4.00	121.389

6. ***Interest Payment Dates***: Semiannually on June 1 and December 1, starting June 1, 2020.

7. ***Place of Bond Payment***: Principal: First National Bank of Omaha, Nebraska, as Trustee (the "Trustee"); Interest: By check, draft or wire transfer to the registered owner at his address as it appears on the Bond registration books on May 15 and November 15 of each year; or at such other address as is furnished to the Trustee in writing by such registered owner.

8. ***Purpose of Bonds***: A portion of the proceeds of the Bonds will be provided to an escrow agent for deposit in an escrow fund created pursuant to an escrow agreement to refund and redeem $24,265,000 outstanding aggregate principal amount of the Corporation's Lease Revenue Bonds (Omaha Baseball Stadium Project) Series 2010.

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IN WITNESS WHEREOF, I have hereunto set my hand on behalf of City of Omaha Public Facilities Corporation April 1, 2020.

CITY OF OMAHA PUBLIC FACILITIES CORPORATION

By ______________________
President

[Signature page to Certificate of Issuance]

COST OF BOND ISSUANCE
City of Omaha Public Facilities Corporation, Lease Revenue Refunding Bonds, Series 2020A

Cost Item	Paid From Bond Proceeds	Paid from Other Issuer Funds
1. Underwriter's Fee (including expenses, management fee and underwriter's discount):		
D.A. Davidson & Co.	**$142,121.25**	**$**
2. Bond Counsel:		
Kutak Rock LLP	**$ 26,955.00**	**$**
3. Other Counsel (eg. underwriter's counsel, special counsel, etc., please specify type, if any)		
Name and type:	**$**	**$**
4. Financial Advisor Fee:	**$**	**$**
5. Rating Agency Fee:		
Name: Standard and Poor's	**$ 19,337.50**	**$**
Name: Moody's	**$ 23,000.00**	**$**
6. Bond Insurance/Credit Enhancement Fee:		
Name:	**$**	**$**
7. Registration Fees (eg. MSRB fees, CUSIP fees, Blue Sky etc.):	**$**	**$**
8. Trustee Fees (eg. Opening trustee fee, escrow agent fee, paying agent fee):		**$**
First National Bank of Omaha	**$ 1,500.00**	
9. Other costs:		
Printing Fee	**$ 1,079.86**	**$**
Escrow Verification Fee	**2,000.00**	
Total (1 through 9)	**$215,993.61**	**$**

Form **8038**
(Rev. September 2018)
Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Private Activity Bond Issues

(Under Internal Revenue Code section 149(e))
▶ See separate instructions.
▶ Go to *www.irs.gov/Form8038* for instructions and the latest information.

OMB No. 1545-0720

Part I Reporting Authority

Check if **Amended Return** ▶ ☐

1 Issuer's name City of Omaha Public Facilities Corporation	2 Issuer's employer identification number 72-1601115
3a Name of person (other than issuer) with whom IRS may communicate about this return (see instructions)	3b Telephone number of other person shown on 3a
4 Number and street (or P.O. box if mail is not delivered to street address) 1819 Farnam Street — Room/suite	5 Report number (*For IRS Use Only*) 1
6 City, town, or post office, state, and ZIP code Omaha, NE 68183	7 Date of issue (MM/DD/YYYY) 04/01/2020
8 Name of issue City of Omaha Public Facilities Corporation Lease Revenue Refunding Bonds Series 2020A	9 CUSIP number 681785 LL3
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information Paul D. Kratz, Esq., City Attorney, City of Omaha, NE 68183	10b Telephone no. of officer/other employee shown on 10a 402-444-5118

Part II Type of Issue (Enter the issue price.)

			Issue Price
11	Exempt facility bond:		
a	Airport (sections 142(a)(1) and 142(c))	11a	
b	Docks and wharves (sections 142(a)(2) and 142(c))	11b	
c	Water furnishing facilities (sections 142(a)(4) and 142(e))	11c	
d	Sewage facilities (section 142(a)(5))	11d	
e	Solid waste disposal facilities (section 142(a)(6))	11e	
f	Qualified residential rental projects (sections 142(a)(7) and 142(d)) (see instructions)	11f	
	Meeting 20-50 test (section 142(d)(1)(A)) ☐ Meeting 40-60 test (section 142(d)(1)(B)) ☐ Meeting 25-60 test (NYC only) (section 142(d)(6)) ☐ Has an election been made for deep rent skewing (section 142(d)(4)(B))? ☐ Yes ☐ No		
g	Facilities for the local furnishing of electric energy or gas (sections 142(a)(8) and 142(f))	11g	
h	Facilities allowed under a transitional rule of the Tax Reform Act of 1986 (see instructions)	11h	
	Facility type 1986 Act section		
i	Qualified enterprise zone facility bonds (section 1394) (see instructions)	11i	
j	Qualified empowerment zone facility bonds (section 1394(f)) (see instructions)	11j	
k	Other (see instructions)	11k	
l	Qualified public educational facility bonds (sections 142(a)(13) and 142(k))	11l	
m	Mass commuting facilities (sections 142(a)(3) and 142(c))	11m	
n	Qualified highway or surface freight transfer facilities (sections 142(a)(15) and 142(m))	11n	
o	Other (see instructions)		
p	Local district heating or cooling facilities (sections 142(a)(9) and 142(g))	11p	
q	Other (see instructions)	11q	
12 a	Qualified mortgage bond (section 143(a))	12a	
b	Other (see instructions)	12b	
13	Qualified veterans' mortgage bond (section 143(b)) (see instructions) ▶	13	
	Check the box if you elect to rebate arbitrage profits to the United States ☐		
14	Qualified small issue bond (section 144(a)) (see instructions) ▶	14	
	Check the box for $10 million small issue exemption ☐		
15	Qualified student loan bond (section 144(b))	15	
16	Qualified redevelopment bond (section 144(c))	16	
17	Qualified hospital bond (section 145(c)) (attach schedule—see instructions)	17	
18	Qualified 501(c)(3) nonhospital bond (section 145(b)) (attach schedule—see instructions)	18	$24,941,157.95
	Check box if 95% or more of net proceeds will be used **only** for capital expenditures ▶ ☒		
19	Nongovernmental output property bond (treated as private activity bond) (section 141(d))	19	
20a	Other (see instructions)		
b	Reissuance (see instructions)	20b	
c	Other. Describe (see instructions) ▶	20c	

Part III **Description of Bonds** (Complete for the entire issue for which this form is being filed.)

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	06/01/2036	$24,941,157.95	$21,055,000.00	9.342 years	1.3865%

Part IV **Uses of Proceeds of Issue** (including underwriters' discount)

					Amount
22	Proceeds used for accrued interest			22	$0.00
23	Issue price of entire issue (enter amount from line 21, column (b))			23	$24,941,157.95
24	Proceeds used for bond issuance costs (including underwriters' discount)	24	$226,415.77		
25	Proceeds used for credit enhancement	25			
26	Proceeds allocated to reasonably required reserve or replacement fund	26			
27	Proceeds used to refund prior tax-exempt bonds. Complete Part VI	27	$24,714,742.18		
28	Proceeds used to refund prior taxable bonds. Complete Parts V and VI	28			
29	Add lines 24 through 28			29	24,941,157.95
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)			30	$0.00

Part V **Description of Property Financed**

Caution: *Do not complete for qualified student loan bonds, qualified mortgage bonds, or qualified veterans' mortgage bonds.*

			Amount
31	**Type of Property Financed:**		
a	Land	31a	
b	Buildings and structures	31b	
c	Equipment with recovery period of more than 5 years	31c	
d	Equipment with recovery period of 5 years or less	31d	
e	Other. Describe (see instructions)	31e	

32 North American Industry Classification System (NAICS) of the projects financed.

	NAICS Code	Amount of nonrefunding proceeds		NAICS Code	Amount of nonrefunding proceeds
a			c		$
b			d		$

Part VI **Description of Refunded Bonds** (Complete this part only for refunding bonds.)

33 Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded ▶ 9.348 years

34 Enter the remaining weighted average maturity of the taxable bonds to be refunded ▶ N/A

35 Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY) ▶ 06/01/2020

36 Enter the date(s) the refunded bonds were issued (MM/DD/YYYY) ▶ 05/27/2010

Part VII **Miscellaneous**

37 Name of governmental unit(s) approving issue (see the instructions) ▶ No approval needed under Section 147(f)(2)(D)

38 Check the box if you have designated any issue under section 265(b)(3)(B)(i)(III) ▶ ☐

39 Check the box if you have elected to pay a penalty in lieu of arbitrage rebate ▶ ☐

40a Check the box if you have identified a hedge and enter the following information ▶ ☐

b Name of hedge provider

c Type of hedge ▶

d Term of hedge ▶

41 Check the box if the hedge is superintegrated ▶ ☐

42a Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) ▶

b Enter the final maturity date of the GIC (MM/DD/YYYY) ▶ / /

c Enter the name of the GIC provider ▶

43 Check the box if the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated in accordance with the requirements under the Code and Regulations (see instructions) ▶ ☒

44 Check the box if the issuer has established written procedures to monitor the requirements of section 148 ▶ ☒

45a Enter the amount of reimbursement if some portion of the proceeds was used to reimburse expenditures) ▶

b Enter the date the official intent was adopted (MM/DD/YYYY) ▶

46 Check the box if the issue is comprised of qualified redevelopment, qualified small issue, or exempt facilities bonds and provide name and EIN of the primary private user ▶ ☐

Name ▶ EIN

Part VIII	**Volume Caps**		Amount
47	Amount of state volume cap allocated to the issuer. **Attach copy of state certification** . . .	47	
48	Amount of issue subject to the unified state volume cap	48	
49	Amount of issue not subject to the unified state volume cap or other volume limitations:	49	$24,941,157.95
a	Of bonds for governmentally owned solid waste facilities, airports, docks, wharves, environmental enhancements of hydroelectric generating facilities, or high-speed intercity rail facilities . . .	49a	
b	Under a carryforward election. Attach a copy of Form 8328 to this return	49b	
c	Under transitional rules of the Tax Reform Act of 1986. Enter Act section ▶	49c	
d	Under the exception for current refunding (section 146(i) and section 1313(a) of the Tax Reform Act of 1986)	49d	
50a	Amount of issue of qualified veterans' mortgage bonds	50a	
b	Enter the state limit on qualified veterans' mortgage bonds	50b	
51a	Amount of section 1394(f) volume cap allocated to issuer. **Attach copy of local government certification**	51a	
b	Name of empowerment zone ▶		
52	Amount of section 142(k)(5) volume cap allocated to issuer. **Attach copy of state certification.**	52	*N/A*

Signature and Consent

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

▶ [signature] 04/01/2020 ▶ Brook Bench, President

Signature of issuer's authorized representative | Date | Type or print name and title

Paid Preparer Use Only

Print/Type Preparer's name	Preparer's signature	Date	Check ☐ if self-employed	Preparer's PTIN
John K. McGill	John K. McGill	4/1/2020		P01086212
Firm's name ▶ Kutak Rock LLP			Firm's EIN ▶ 47:0597598	
Firm's address ▶ 1650 Farnam Street, Omaha, NE 68102			Phone no. 402-346-6000	

Name of Taxpayer: City of Omaha Public Facilities Leasing Corporation
EIN of Taxpayer: 72-1601115
Name of Issue: Lease Revenue Refunding Bonds Series 2020A

Information for Line Number 18:

SCHEDULE TO FORM 8038
PROJECTED USERS OF FULL AMOUNT OF BONDS

1. City of Omaha, Nebraska (EIN: 47-6006304)
2. Metropolitan Entertainment and Convention Authority (MECA) (EIN: 91-1846837)*
3. College World Series of Omaha, Inc. (EIN: 47-6042402)*
4. National Collegiate Athletic Association (EIN: 44-0567264)*
5. Creighton University (EIN: 47-0376583)*

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* Section 501(c)(3) organization.