

**OFICINA DEL COMISIONADO DE ASUNTOS MUNICIPALES
ÁREA DE ASESORAMIENTO, REGLAMENTACIÓN E INTERVENCIÓN FISCAL
ÁREA DE ARCHIVO DIGITAL**

**MUNICIPIO DE AGUAS BUENAS
AUDITORÍA 2011-2012
30 DE JUNIO DE 2012**

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SINGLE AUDIT REPORTING PACKAGE
FOR THE YEAR ENDED JUNE 30, 2012**

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SINGLE AUDIT REPORTING PACKAGE
FOR THE YEAR ENDED JUNE 30, 2012**

TABLE OF CONTENTS

<u>FINANCIAL SECTION</u>	<u>PAGE</u>
Independent Auditor's Report	
Management's Discussion and Analysis	1-2
Basic Financial Statements:	3-12
Governmental –wide financial statement:	
Statement of Net Assets	13
Statement of Activities	14-15
Fund Financial Statements:	
Balance Sheet – Governmental Funds	16
Reconciliation of the Governmental Funds Balance Sheet to Statement of Net Assets	17
Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Fund	18
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance to the Statement of Activities	19
Statement of Financial Position – Proprietary Fund	20
Statement of Activities – Proprietary Fund	21
Statement of Cash Flows – Proprietary Fund	22-23
Notes to the Financial Statements	24-41
<u>REQUIRED SUPPLEMENTARY INFORMATION</u>	42
Schedule of Budgetary Comparison	43
Notes to Schedule of Budgetary Comparison	44-45
Schedule of Expenditures of Federal Awards	46-47
Notes to Schedule of Expenditures of Federal Awards	48
Report on Internal Control Over Financial Reporting and on Compliance and other Matters based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	49-51
Report on Compliance with Requirements Applicable to Each Major Program and on Internal Control Over Compliance in Accordance with OMB Circular A-133	52-55
SCHEDULE OF FINDINGS AND QUESTIONED COSTS	56
Section I. – Summary of Auditor's Results	57
Section II. – Financial Statements Findings	58
Section III. – Federal Audit Funds and Questioned Cost	59-62
 EXHIBIT I Corrective Action Plan	 63

COMMONWEALTH OF PUERTO RICO

MUNICIPALITY OF AGUAS BUENAS

FINANCIAL STATEMENTS

FOR THE YEAR ENDED JUNE 30, 2012

Carlos R. Diaz Negrón

Certified Public Accountant

MEMBER:

American Institute of Certified Public Accountants
Puerto Rico Society of Certified Public Accountants

PO BOX 408, RAFAEL LASA NO. 44, AGUAS BUENAS, PR 00703 – TEL: 787-732-8020 – FAX: 787-732-0685 - E-MAIL: crdiaznegron@carlosrdiazcpa.com

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Municipal Legislative Body
Municipality of Aguas Buenas
Aguas Buenas, Puerto Rico

We have audited the financial statements of the governmental activities, each major funds, and the aggregate remaining fund information of the **Municipality of Aguas Buenas, Puerto Rico** as of and for the year ended June 30, 2012 which collectively comprise the basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Municipality's management. Our responsibility is to express an opinion on these financial statements based on our audit. We did not audit the financial statements Espiritu Santo Project. Those statements were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for Espiritu Santo Project, is based solely on the report of the other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Governmental Audit Standards, issued by the Comptroller General of the United State. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the **Municipality of Aguas Buenas, Puerto Rico** as of June 30, 2012, and the respective changes in financial position for the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

INDEPENDENT AUDITOR'S REPORT (CONTINUED):

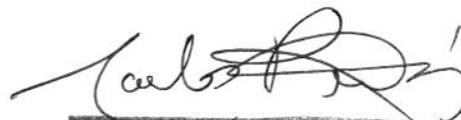
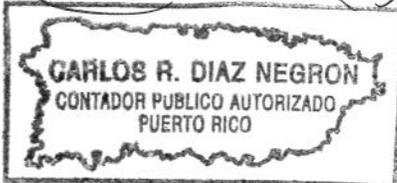
In accordance with Governmental Auditing Standards, we have also issued our report dated February 5, 2013, on our consideration of the Municipality of Aguas Buenas, Puerto Rico' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Governmental Auditing Standards and should be considered in assessing the results of our audit.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Municipality's basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposed of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and non-Profit Organizations, and is also not a required part of the basic financial statements. Such information is the responsibility of management and was derived form and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United Sates of America. In my opinion, is fairly presented in all material respects in relation to the general purpose financial statements taken as a whole.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 12 and 43 through 45 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

February 5, 2013
Aguas Buenas, Puerto Rico

License No. 1339
Expire December 1, 2013

CARLOS R. DIAZ NEGRON
CONTADOR PUBLICO AUTORIZADO
PUERTO RICO

The stamp No. **E40870** of the Puerto Rico Society of Certified Public Accountants was affixed to the original of this report.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

This discussion and analysis of the Municipality of Aguas Buenas (Municipality) financial performance provides an overview of the Municipality's financial activities for the fiscal year ended on June 30, 2012. The Management Discussion and Analysis (MD&A) should be read in conjunction with the accompanying basic financial statements and the accompanying notes to those financial statements. The discussion and analysis includes comparative data for prior year as this information is available for the fiscal year ended on June 30, 2011. This MD&A is prepared in order to comply with such pronouncement and, among other purposes, to provide the financial statements users with the following major information:

1. a broader basis in focusing important issues;
2. acknowledgement of an overview of the Municipality's financial activities;
3. provide for an evaluation of its financial condition as of the end of the indicated fiscal year, compared with prior year results;
4. identification of uses of funds in the financing of the Municipality's variety of activities and;
5. assess management's ability to handle budgetary functions.

FINANCIAL HIGHLIGHTS

The following comments about the financial condition and results of operations as reflected in the financial statements prepared for fiscal year 2012 deserve special mention:

1. Total assets of the Municipality amounted to \$33,427,911 which represents an increase of 6% compared to prior fiscal year.
2. At the end of fiscal year 2012, total liabilities amounted to \$15,158,358. Out of said amount, \$12,351,078 corresponded to long-term liabilities of which \$9,013,000 represented the outstanding balance of bonds and notes issued. The Municipality continued to meet all debt service requirements, most of which was paid from self generated revenues.
3. Total net assets of the Municipality amounted to \$18,269,553 which represents an increase of 4% if compared to prior fiscal year.
4. Total revenues available for the financing of activities as reflected in the Statement of Activities amounted to \$15,899,241 derived from the following sources: \$370,180 charges for services; \$2,306,323 from operating grants and contributions; \$1,481,697 from capital grants and contributions obtained from other sources, and \$11,741,041 from general revenues available.
5. Total expenses incurred to afford the cost of all functions and programs as reflected in the Statement of Activities amounted to \$15,161,259.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL HIGHLIGHTS (CONTINUED)

6. As reflected in the Statement of Activities, the current fiscal year operations contributed to an increase in the Net Assets figure by \$737,982.
7. As of the close of the current fiscal year, the Municipality's Governmental Funds reported combined ending fund balances of \$6,082,452.
8. As the end of the current fiscal year, the Municipality's general fund deficit amounted to \$473,362 compared to the deficit of \$1,164,993 in the prior fiscal year.
9. The actual General Fund budgetary activities resulted in an unfavorable balance of \$241,075.

FUNDAMENTALS OF FINANCIAL STATEMENTS PRESENTATION

The approach used in the presentation of the financial statements of the Municipality is based on a government-wide view of such statements as well as a presentation of individual funds behavior during fiscal year 2012. The combination of these two perspectives provide the user the opportunity to address significant questions concerning the content of said financial statements, and provide the basis for a comparable analysis of future years performance. The comparative analysis is a meaningful and useful management tool for municipal management in the decision making process.

Under the aforementioned approach, assets and liabilities are recognized using the accrual basis of accounting which is similar to the method used by most private enterprises. This means that current year's revenues and expenses are accounted for regardless of when cash is received or paid.

FINANCIAL STATEMENTS COMPONENTS

The basic financial statements consist of the government wide financial statements, the major funds financial statements and the notes to the financial statements which provide details, disclosure and description of the most important items included in said statements.

The Statement of Net Assets reflects information of the Municipality as a whole of a consolidated basis and provides relevant information about its financial strength as reflected at the end of the fiscal year. Such financial level is measured as the difference between total assets and liabilities, with the difference between both items reported as net assets. It is important to note that although municipalities as governmental public entities were not created to operate under a profit motive framework, the return on assets performance plays an important role in their financial operations. The higher the increments achieved in net revenues, the higher the capacity to increase the net assets figure either thru additional borrowings or thru internally generated funds. This in turn will benefit the welfare of the Municipality of Aguas Buenas constituents.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL STATEMENTS COMPONENTS (CONTINUED)

The Statement of Activities is focused on both gross and net cost of the various activities of the Municipality. It presents information which shows the changes in the Municipality's net assets at the most recent fiscal year. Based on the use of the accrual basis of accounting, changes are reported as soon as the underlying event occurs, regardless of the timing of the related cash flows. Under said approach, revenues and expenses are reported in the Statement of Activities based on the theory that it will result in cash flows to be realized in future periods.

A brief review of the Statements of Activities of the Municipality at June 30, 2012, shows total expenses incurred to afford the cost of all functions and programs amounted to \$15,161,259. Upon examining the sources of revenues for the financing of said programs, the Statement reflects that \$4,158,200 was derived from the following sources: \$370,180 charges for services; \$2,306,323 from operating grants and contributions; and \$1,481,697 from capital grants and contributions obtained from other sources. General revenues for the year amounted to \$11,741,041. When such figure is added to the \$4,158,200 previously mentioned, total revenues available for the financing of activities amounted to \$15,899,241. There was an excess of revenues over expenses in the amount of \$737,982 which contributed with an increase to the figure of net assets attained at the end of the fiscal year.

The Fund Financial Statement is another important component of the Municipality's financial statements. A fund is a grouping of related accounts that are used to maintain accountability and controls over economic resources of the Municipality that have been segregated for specific activities. The Municipal fund type of accounting is used to demonstrate compliance with related legal requirements. Information offered thru this Statement is limited to the Municipality most significant funds and is particularly related to the local government only, instead of the government as a whole. Government funds are used to account for essentially the same functions as those reported as governmental activities. The funds are reported using an accounting method known as modified accrual accounting which measures cash and all other financial assets that can be readily converted into cash.

The fund statement approach gives the user a short term view of the Municipality's government operations and the basic services it provides. Since the focus of government funds is narrower than that of the financial statements as a whole, it also helps the user with comparable information presented in the governmental activities report. By doing so, readers of the basic financial statements may understand better the long-term effect of the Municipality's short-term financial decisions.

INFRASTRUCTURE ASSETS

Historically, a significant group of infrastructure assets (such as roads, bridges, traffic signals, underground pipes not associated with utilities, etc.) have not been recognized nor depreciated in the accounting records of the Municipality. GASB 34 requires that such type of assets be inventoried, valued and reported under the governmental column of the Government-Wide Statement.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

INFRASTRUCTURE ASSETS (CONTINUED)

According to the requirements of GASB 34, the government must elect to either (a) depreciate the aforementioned assets over their estimated useful life or (b) develop a system of asset management designed to maintain the service delivery to near perpetuity. If the government develops the asset management system, (the modified approach) which periodically (at least every three years), by category, measures and demonstrate its maintenance of locally established levels of service standards, the government may record its cost of maintenance in lieu of depreciation. In this particular respect, the Municipality has elected the use of recognizing depreciation under the useful life method and it contemplates to continue this treatment on said basis.

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE

Net Assets

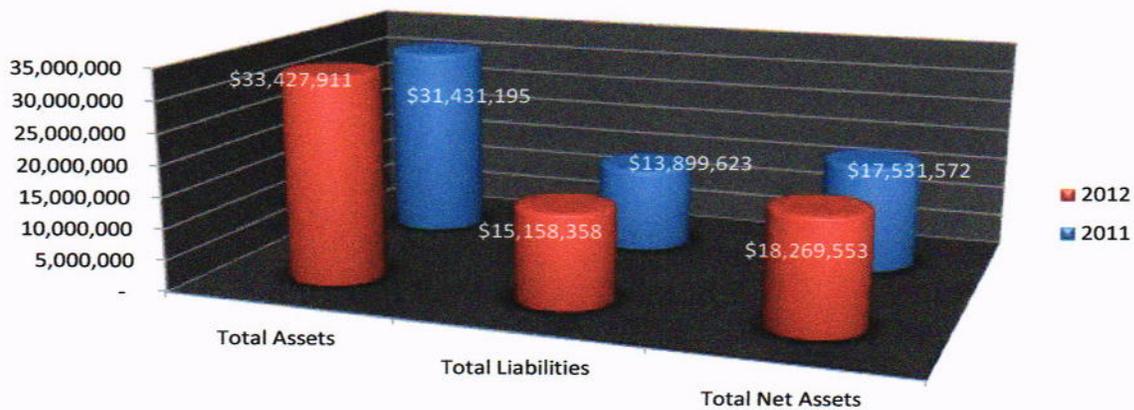
The Statement of Net Assets serves as an indicator of the Municipality's financial position at the end of the fiscal year. In the case of the Municipality of Aguas Buenas, primary government assets exceeded total liabilities by \$18,269,553 at the end of 2012, compared to \$17,531,572, at the end of the previous year, as showed in the following condensed Statement of Net Assets of the Primary Government.

<u>Condensed Statement of Net Assets</u>	<u>2012</u>	<u>2011</u>	<u>Change</u>	<u>%</u>
Current and other assets	10,611,447	10,104,331	507,116	5%
Capital Assets	22,816,464	21,326,864	1,489,600	7%
Total Assets	<u>33,427,911</u>	<u>31,431,195</u>	<u>1,996,716</u>	6%
Current and other liabilities	4,036,566	2,428,004	1,608,562	66%
Long-term liabilities	11,121,792	11,471,619	(349,827)	-3%
Total liabilities	<u>15,158,358</u>	<u>13,899,623</u>	<u>1,258,735</u>	9%
Invested in capital assets, net of related debt	18,007,877	17,198,197	809,680	5%
Restricted	4,913,725	4,079,476	834,249	20%
Unrestricted deficit	(4,652,049)	(3,746,101)	(905,948)	-24%
Total net assets	<u>\$ 18,269,553</u>	<u>\$ 17,531,572</u>	<u>\$ 737,982</u>	4%

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE (CONTINUED)

Net Assets (Continued)



Approximately 30 percent of the Municipality's total revenue came from taxes, while 63 percent resulted from grants and contributions, including federal aid. Charges for Services provide 2 percent of the total revenues. The Municipality's expenses cover a range of services. The largest expenses were for public work and sanitation (31%), general administration (27%), and educational and recreational (11%). As follow, is presented a comparative analysis of governmental-wide data. With this analysis, the readers have comparative information with the percentage of change in revenues and expenses from prior year to current year.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE (CONTINUED)

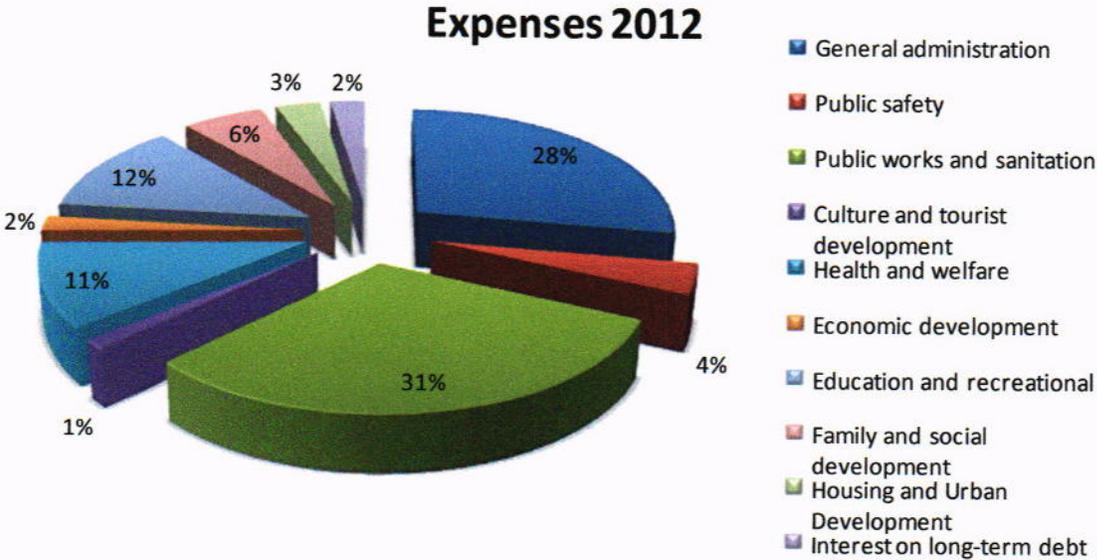
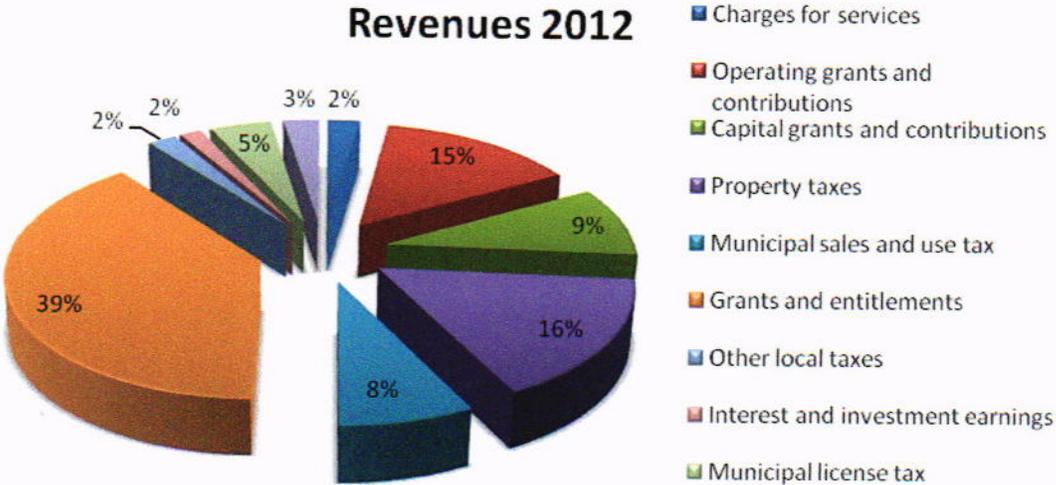
Net Assets (Continued)

Condensed Statement of Activities	2012	2011	Change	%
Program revenues:				
Charges for services	\$ 370,180	\$ 385,067	\$ (14,887)	(4%)
Operating grants and contributions	2,306,323	2,515,793	(209,470)	(8%)
Capital grants and contributions	1,481,697	1,383,707	97,990	7%
General revenues:				
Property taxes	2,586,943	2,189,756	397,187	18%
Municipal license tax	718,904	715,345	3,559	-
Municipal sales and use tax	1,206,601	1,217,126	(10,525)	(1%)
Grants and entitlements	6,230,795	6,062,740	168,055	3%
Other local taxes	327,843	307,828	20,015	7%
Interest and investment earnings	249,955	222,355	27,600	12%
Other	420,000	415,320	4,680	1%
Total revenues	<u>15,899,241</u>	<u>15,415,037</u>	<u>484,204</u>	3%
Expenses:				
General administration	4,173,828	3,925,310	248,518	6%
Public safety	601,222	670,040	(68,818)	(10%)
Public works and sanitation	4,737,101	5,383,945	(646,844)	(12%)
Health and welfare	1,625,062	1,520,879	104,183	7%
Culture and tourist development	190,483	262,473	(71,990)	(27%)
Economic development	282,367	305,234	(22,867)	(7%)
Family and social development	877,864	779,364	98,500	13%
Planning			-	-
Education, culture and recreational	1,810,738	1,775,080	35,658	2%
Housing and Urban Development	490,105	485,387	4,718	1%
Interest	372,489	333,472	39,017	12%
Total expenses	<u>15,161,259</u>	<u>15,441,184</u>	<u>(279,925)</u>	(2%)
Change in net assets	737,982	(26,147)	764,129	28%
Net assets	<u>17,531,571</u>	<u>17,557,719</u>	<u>(26,147)</u>	-
Net assets, end of year	<u>\$ 18,269,553</u>	<u>\$ 17,531,571</u>	<u>\$ 737,982</u>	4%

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE (CONTINUED)

Net Assets (Continued)



**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINANCIAL ANALYSIS OF THE MUNICIPALITY'S INDIVIDUAL FUNDS

Governmental Funds

The focus of the Municipality's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Municipality's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the Municipality's governmental funds reported combined ending fund balances of \$6,082,452, a decrease of \$277,880 in comparison with the prior year.

Within the governmental funds, it is included the general fund which is the chief operating fund of the Municipality. As of June 30, 2012, the Municipality's general fund deficit amounted to \$1,638,355.

GENERAL FUND BUDGETARY HIGHLIGHTS

Over the course of the year, the Municipality Council revised the Municipality's budget in order to include increases in revenues that were identified during the course of the fiscal year based on current developments that positively affected the Municipality's finances. Increases in budgeted expenditures were also made since the law mandates a balanced budget.

The actual General Fund budgetary activities resulted in an unfavorable balance of \$241,075 caused mainly due to unexpected variances in revenue and expenditures.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

The Municipality's investment in capital assets as of June 30, 2012, amounts to \$39,418,397 with an accumulated depreciation of \$16,601,933 (including depreciation charges for the year totaled \$1,102,229), leaving a net book value of \$22,816,464. This investment in capital assets includes land, construction in progress, buildings, improvements, equipment, infrastructure, furnishing, computers and vehicles. Infrastructure assets are items that are normally immovable and of value only to the state, such as roads, bridges, streets and sidewalks, drainage systems, lighting systems, and similar items.

The Municipality finances a significant portion of its construction activities through bond or notes issuances. The proceeds from bond and notes issuances designated for construction activities are committed in its entirety for such purposes and cannot be used for any other purposes. As of June 30, 2012, the Municipality has \$4,853,547 of unexpended proceeds mainly from bonds and notes issuances that are committed to future construction activities.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

CAPITAL ASSETS AND DEBT ADMINISTRATION (CONTINUED)

Debt Administration

The Puerto Rico Legislature has established a limitation for the issuance of general obligation municipal bonds and notes for the payment of which the good faith, credit and taxing power of each municipality may be pledged.

The applicable law also requires that, in order for a Municipality to be able to issue additional general obligation bonds and notes, such Municipality must have sufficient "payment capacity". Act No. 64 provides that a Municipality has sufficient "payment capacity" to incur additional general obligation debt if the deposits in such municipality's Redemption Fund and the annual amounts collected with respect to such Municipality's Special Additional Tax (as defined below), as projected by GDB, will be sufficient to service to maturity the Municipality's outstanding general obligation debt and the additional proposed general obligation debt ("Payment Capacity").

The Municipality is required under applicable law to levy the Special Additional Tax in such amounts as shall be required for the payment of its general obligation municipal bonds and notes. In addition, principal of and interest on all general obligation municipal bonds and notes and on all municipal notes issued in anticipation of the issuance of general obligation bonds issued by the Municipality constitute a first lien on the Municipality's Basic Tax revenues.

Accordingly, the Municipality's Basic Tax revenues would be available to make debt service payments on general obligation municipal bonds and notes to the extent that the Special Additional Tax levied by the Municipality, together with moneys on deposit in the Municipality's Redemption Fund, are not sufficient to cover such debt service. It has never been necessary to apply Basic Taxes to pay debt service on general obligation debt of the Municipality.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The Municipality relies primarily on property and municipal taxes as well as federal and state grants to carry out the governmental activities. Historically, property and municipal taxes have been very predictable. Federal State grant revenues may vary if new grants are available but the revenue also is very predictable. Those factors were considered when preparing the Municipality's budget for the fiscal year 2012-2013.

FINAL COMMENTS

The Municipality is an autonomous governmental entity whose powers and authority vested on its Executive and Legislative Branches are specifically established in the Municipal Autonomous Act approved in August 1991. By virtue of such powers, it provides a wide range of services to its constituents which includes, among others, public works, education, public safety, public housing, health, community development, recreation, waste disposal, welfare and others. The Municipality's principal sources of revenues are derived from property taxes, municipal license taxes, subsidies from the Commonwealth of Puerto Rico's.

General Fund and contributions from the Traditional and Electronic Lottery sponsored by said Government.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
YEAR ENDED JUNE 30, 2012**

FINAL COMMENTS (CONTINUED)

The Municipality's management is committed to a continued improvement in the confection of a budget that will response to the needs of the public and private sectors in accordance with its permissible revenues levels. It further contemplates to maintain or improve its current levels of Net Assets as indicative of a strong financial position which has been identified as one of the main short and long-term objectives of the Municipality.

FINANCIAL CONTACT

The Municipality's financial statements are designed to present users (citizens, taxpayer, customers, investors and creditors) with a general overview of the Municipality's finances and to demonstrate the Municipality's accountability. If you have questions about the report or need additional financial information, contact the Municipality's Chief Financial Officer.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF NET ASSETS
AS OF JUNE 30, 2012

	PRIMARY GOVERNMENT		
ASSETS	GOVERNMENTAL ACTIVITIES	BUSINESS – TYPE ACTIVITIES	TOTAL
Cash and cash equivalents	\$ 2,569,721	\$306,240	\$ 2,875,961
Cash with fiscal agent	4,965,430		4,965,430
Account receivable:			
Other agencies	903,826		903,826
Property tax	1,715,999		1,715,999
Sale tax	110,880		110,880
Municipal tax	2,682		2,682
Other assets		36,669	36,669
Capital assets, net	<u>22,399,189</u>	<u>417,275</u>	<u>22,816,464</u>
Total Assets	<u>32,667,727</u>	<u>760,184</u>	<u>33,427,911</u>
 LIABILITIES AND NET ASSETS			
Liabilities:			
Accounts payable and accrued expenses	2,006,581	20,916	2,027,497
Deferred revenue	734,399		734,399
Due to other agencies	45,384		45,384
Long-term debt:			
Due within one year	1,176,660	52,626	1,229,286
Due in more than one year	<u>10,743,816</u>	<u>377,976</u>	<u>11,121,792</u>
Total liabilities	<u>14,706,840</u>	<u>451,518</u>	<u>15,158,358</u>
Net Assets:			
Invested in capital assets, net of related debt	18,007,877		18,007,877
Restricted for:			
Debt service	2,136,269		2,136,269
Replacements and others		225,301	225,301
Capital project and others	2,552,155		2,552,155
Unrestricted	<u>(4,735,414)</u>	<u>83,365</u>	<u>(4,652,049)</u>
Total Net Assets	<u>\$17,960,887</u>	<u>\$308,666</u>	<u>\$18,269,553</u>

The accompanying notes are an integral part of these financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2012

<u>FUNCTIONS AND PROGRAMS</u>	<u>EXPENSES</u>	<u>PROGRAM REVENUE</u>			<u>NET (EXPENSE)/ REVENUE</u>
		<u>CHARGE FOR SERVICES</u>	<u>OPERATING GRANTS AND CONTRIBUTIONS</u>	<u>CAPITAL GRANTS AND CONTRIBUTIONS</u>	
Governmental activities:					
General administration	\$ (4,173,828)	\$ 1,363	\$ 636,767		\$ (3,535,698)
Public safety	(601,222)		68,017		(533,205)
Education and recreational	(1,810,738)	30,288	481,730		(1,298,720)
Public works and sanitation	(4,737,101)			\$1,481,697	(3,255,404)
Health and welfare	(1,625,062)		1,119,809		(505,253)
Culture and tourist development	(190,483)				(190,483)
Economic development	(282,367)				(282,367)
Family and social development	(877,864)				(877,864)
Housing and Urban Development	(151,864)				(151,864)
Interest	<u>(372,489)</u>	<u> </u>	<u> </u>	<u> </u>	<u>(372,489)</u>
Total governmental activities	<u>(14,823,018)</u>	<u>31,651</u>	<u>2,306,323</u>	<u>1,481,697</u>	<u>(11,003,347)</u>
Business type-activities:					
Housing	(308,367)	338,529			30,162
Interest	<u>(29,874)</u>	<u> </u>	<u> </u>	<u> </u>	<u>(29,874)</u>
Business type - activities	<u>(338,241)</u>	<u>338,529</u>	<u> </u>	<u> </u>	<u>288</u>
Total	<u>\$(15,161,259)</u>	<u>\$370,180</u>	<u>\$2,306,323</u>	<u>\$1,481,697</u>	<u>\$(11,003,059)</u>

(Continue)

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF ACTIVITIES (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012**

	<u>GOVERNMENTAL ACTIVITIES</u>	<u>BUSINESS-TYPE ACTIVITIES</u>	<u>TOTAL</u>
Net (expense)/revenue	<u>\$(11,003,347)</u>	<u>\$ 288</u>	<u>\$(11,003,059)</u>
General revenue:			
Taxes:			
Property taxes	2,586,943		2,586,943
Municipal tax	718,904		718,904
Sale tax	1,206,601		1,206,601
Construction excise tax	327,843		327,843
Grants and entitlements	6,230,795		6,230,795
Rent	129,247		129,247
Interest	249,283	672	249,955
Other	<u>290,753</u>	<u> </u>	<u>290,753</u>
Total general revenues	<u>11,740,369</u>	<u>672</u>	<u>11,741,041</u>
Changes in net assets	737,022	960	737,982
Net assets at beginning	<u>17,223,865</u>	<u>307,706</u>	<u>17,531,571</u>
Net assets at end	<u>\$ 17,960,887</u>	<u>\$308,666</u>	<u>\$ 18,269,553</u>

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
BALANCE SHEET
GOVERNMENTAL FUNDS
AS OF JUNE 30, 2012**

	GENERAL FUND	DEBT SERVICE	LOAN \$4,145,000	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
ASSETS:					
Cash:					
Cash in bank	\$ 232,766			\$2,336,955	\$ 2,569,721
Cash with fiscal agent	12,306	\$1,722,855	\$3,130,692	99,577	4,965,430
Receivables:					
Property taxes	1,328,515	387,484			1,715,999
Sale tax	74,950	35,930			110,880
Due for others governmental agencies	264,045			639,781	903,826
Due from other funds	68,600			200,000	268,600
Other	<u>2,682</u>				<u>2,682</u>
Total assets	<u>\$1,983,864</u>	<u>\$2,146,269</u>	<u>\$3,130,692</u>	<u>\$3,276,313</u>	<u>\$10,537,138</u>
Liabilities:					
Accounts payable and accrued expenses	1,547,153			269,973	1,817,126
Deferred revenues	1,829,682	358,846		135,048	2,323,576
Due to other fund	200,000			68,600	268,600
Due to other agencies	<u>45,384</u>				<u>45,384</u>
Total liabilities	<u>3,622,219</u>	<u>358,846</u>		<u>473,621</u>	<u>4,454,686</u>
Fund balances:					
Restricted for:					
Debt service		1,787,423			1,787,423
Capital project			3,130,692	1,901,886	5,032,578
Other purpose				900,806	900,806
Unassigned	<u>(1,638,355)</u>				<u>(1,638,355)</u>
Total fund balances	<u>(1,638,355)</u>	<u>1,787,423</u>	<u>3,130,692</u>	<u>2,802,692</u>	<u>6,082,452</u>
Total liabilities and fund balance	<u>\$1,983,864</u>	<u>\$2,146,269</u>	<u>\$3,130,692</u>	<u>\$3,276,313</u>	<u>\$10,537,138</u>

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS
BALANCE SHEET TO THE STATEMENT OF NET ASSETS
AS OF JUNE 30, 2012**

Fund balances in governmental funds	\$6,082,452
--	--------------------

Amounts reported for governmental activities in the Statement of Net Assets are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds	22,399,189
--	------------

Deferred property tax revenue in governmental funds financial statements whereas recorded as revenue in the governmental activities	1,589,177
---	-----------

Long-term liabilities and accrual expenses are not due and payable in the current period and therefore are not reported in the governmental funds:

Bonds and notes payable	(9,013,000)
Compensated absences	(1,377,560)
Estimated liability for landfill post-closure costs	(1,360,000)
Accrued interest	(189,455)
Amount due to CRIM	<u>(169,916)</u>

<i>Net assets of governmental activities</i>	<u>\$17,960,887</u>
---	----------------------------

The accompanying notes are an integral part of these financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2012

	GENERAL FUND	DEBT SERVICE FUNDS	LOAN <u>\$4,145,000</u>	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
Revenues:					
Taxes:					
Property taxes	\$ 1,624,786	\$ 534,627			\$ 2,159,413
Municipal taxes	718,904				718,904
Sale tax	843,645	362,956			1,206,601
Excise taxes	327,843				327,843
Grants and entitlements	6,191,606			\$3,819,671	10,011,277
Rental income	129,247				129,247
Interest	248,624	659			249,283
Other	322,404				322,404
Total Revenues	<u>10,407,059</u>	<u>898,242</u>	<u> </u>	<u>3,819,671</u>	<u>15,124,972</u>
Expenditures:					
General administration	3,622,247			370,239	3,992,486
Public safety	548,451				548,451
Education and recreational	834,547			747,899	1,582,446
Public works and sanitation	4,459,531		\$ 810,141	1,390,209	6,659,881
Health and welfare	332,016			1,266,950	1,598,966
Culture and tourist development	188,271				188,271
Economic development	280,029				280,029
Family and social development	661,537			141,696	803,233
Planning and Urban development	151,334			530	151,864
Debt service:					
Principal		470,000			470,000
Interest		352,225			352,225
Total expenditures	<u>11,077,963</u>	<u>822,225</u>	<u>810,141</u>	<u>3,917,523</u>	<u>16,627,852</u>
Excess (deficiency) of revenue over expenditures	<u>(670,904)</u>	<u>76,017</u>	<u>(810,141)</u>	<u>(97,852)</u>	<u>(1,502,880)</u>
Other financing sources (uses):					
Operating transfer in	376,622	179,080			555,702
Operating transfer out	(179,080)	(200,659)		(175,963)	(555,702)
Proceed from loan				1,225,000	1,225,000
Total other financing sources	<u>197,542</u>	<u>(21,579)</u>	<u> </u>	<u>1,049,037</u>	<u>1,225,000</u>
Excess of revenues and other financing source over (under) expenditures and other financing sources	<u>(473,362)</u>	<u>54,438</u>	<u>(810,141)</u>	<u>951,185</u>	<u>(277,880)</u>
Fund balance at beginning of year	<u>(1,164,993)</u>	<u>1,732,985</u>	<u>3,940,833</u>	<u>1,851,507</u>	<u>6,360,332</u>
Fund balance at end of year	<u>\$1,638,355</u>	<u>\$1,787,423</u>	<u>\$3,130,692</u>	<u>\$2,802,692</u>	<u>\$ 6,082,452</u>

The accompanying notes are an integral part of these financial statements.

Orlando
02/04/2013

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL
FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2012**

Net change in fund balances – total governmental funds \$ (277,880)

Amounts reported for Governmental Activities in the Statement of Activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities and changes in net assets, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount of capital assets recorded in the current period. 2,579,422

Governmental funds report proceed from general long-term debt as other financial sources whereas the proceed increase the long-term debt in the statements of net assets. (1,225,000)

Governmental funds report principal payments on long-term debts as expenditures, whereas the principal payments reduce the long-term debt in the statement of net assets. 470,000

Change in accrued expenses which does not require the use of current financial resources:

Accrued interest	(20,264)
Compensating absences	(180,589)
Amount due to CRIM	7,538
Deferred property tax	427,530

Depreciation expense on capital assets is reported in the statement of activities, but it does not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditure in governmental funds. (1,043,735)

Changes in Net Assets of Governmental Activities \$ 737,022

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF FINANCIAL POSITION – PROPRIETARY FUND
JUNE 30, 2012**

ASSETS

	PROPRIETARY FUND ESPIRITU SANTO PROJECT
Current Assets:	
Cash	\$ 80,939
Other current assets	<u>8,588</u>
	89,527
Property and Equipment	417,275
Restricted deposits	225,301
Other Assets	<u>28,081</u>
	<u>\$760,184</u>

LIABILITIES AND NET ASSETS

Liabilities:	
Current liabilities:	
Current maturities of mortgage note	\$ 52,626
Accounts payable and accrued expenses	<u>20,916</u>
	73,542
Long term-debt, net of current maturities	<u>377,976</u>
	<u>451,518</u>
Net assets	
Investment in net assets, net affiliated debt	(13,327)
Uninvestment	<u>321,993</u>
	<u>308,666</u>
Total liabilities and net assets	<u>\$760,184</u>

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF ACTIVITIES - PROPRIETARY FUND
YEAR ENDED JUNE 30, 2012**

	PROPRIETARY FUND ESPIRITU SANTO PROJECT
Revenues:	
Rent	\$338,529
Financial	<u>672</u>
Total revenues	<u>339,201</u>
Expenses:	
Administrative	116,112
Utilities	7,234
Operating Maintenance	93,033
Taxes and insurance	33,494
Depreciation	58,494
Interest	<u>29,874</u>
Total Expenses	<u>338,241</u>
Change in net assets	960
Project net assets, beginning of year	<u>307,706</u>
Net assets, end of year	<u>\$308,666</u>

The accompanying notes are an integral part of these financial statements.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF CASH FLOWS - PROPRIETARY FUNDS
FOR THE YEAR ENDED JUNE 30, 2012**

	PROPRIETARY FUND ESPIRITU SANTO PROJECT
Cash flow from operating activities:	
Cash received from rentals	\$342,345
Interest received	<u>672</u>
	<u>343,017</u>
Administrative	25,514
Utilities	12,988
Salaries and wages	122,585
Operating and maintenance	50,890
Property and liability insurance	5,353
Interest on mortgage	30,198
Management fees	<u>26,100</u>
	<u>273,628</u>
Net cash provided by operating activities	<u>69,389</u>
Cash flow from investing activities:	
Purchase of equipment	(12,407)
Deductions from reserve for replacements and interest	<u>(2,375)</u>
Net cash used by investing activities	<u>(14,782)</u>
Cash flows from financing activities:	
Mortgage principal payments	<u>(48,593)</u>
Net cash used by financing activities	<u>(48,593)</u>
Net increase in cash	6,014
Cash at beginning of the year	<u>74,925</u>
Cash at ending of the year	<u>\$ 80,939</u>

(Continue)

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
STATEMENT OF CASH FLOWS - PROPRIETARY FUNDS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012**

Reconciliation of change in net assets to net cash provided by operating activities:

	PROPRIETARY FUND <u>ESPIRITU SANTO PROJECT</u>
Cash flow from operating activities:	
Change in net assets	\$ <u>960</u>
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Depreciation	58,494
(Increase) decrease in:	
Tenants accounts receivable	924
Account receivable (net)	2,892
Increase (decrease) in:	
Accounts payable	5,217
Accrued vacations and bonus	1,226
Interest on mortgage	<u>(324)</u>
Total adjustments	<u>68,429</u>
Net cash provided by operating activities	<u>\$69,389</u>

The accompanying notes are an integral part of these financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2012

1. ORGANIZATION

The Municipality of Aguas Buena's (the Municipality) is a political and legal entity with full legislative and administrative faculties in every affair of municipal character, with perpetual succession, existence and legal personality separate and independent from the governmental of the Commonwealth of Puerto Rico.

The municipal government is comprised of the executive and legislative bodies, which are elected every four years in the Puerto Rico general elections. The executive power is exercised by the Mayor and the legislative power by the Municipal Legislative Body, which has fourteen members.

The Municipality provides the following services to its community: health, public works, education, public safety, housing, community and social services, welfare, culture and recreation, as well as many other general and administrative services.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting and reporting policies of the Municipality relating to the funds included in the accompanying basic financial statements conform to accounting principles generally accepted in the United States of America applicable to state and local governments. Generally accepted accounting principles for local governments include those principles prescribed by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants in the publication entitled Audits of State and Local Governmental Units and by the Financial Accounting Standards Board (when applicable). The more significant policies of the Municipality are described below.

Reporting entity

A reporting entity consists of the primary government, component units, and other organizations that are included to ensure that financial statements are not misleading. The primary government of the Municipality consists of all funds and departments that are not legally separate from the Municipality. For the Municipality of Aguas Buenas, Puerto Rico, these include various services such as police protection, recreation (including parks), street maintenance and repair, sanitation, and general administrative services. The operation of each of these activities is directly controlled by Municipality's Legislative Body through the budgetary process.

Component units are legally separate organizations for which the Municipality is financially accountable. The Municipality has no component units.

Government wide and fund financial statements

Basic financial statements include both governments-wide and fund financial statements.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-wide statements

The government-wide financial statements (consists of the statement of net assets and the statement of activities) these statements report information on all the activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities which normally are supported mainly by taxes and intergovernmental revenues are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. Likewise, the primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segments are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include a) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Program-specific capital and operating grant and contributions consist of transactions that are either mandatory or voluntary nonexchange transactions with other governments, organizations, or individuals that restrict the resources for use in a particular program. Capital grants and contributions consist of capital assets or resources that are restricted for capital purposes – to purchase, construct or renovate capital assets associated with a specific program. Operating grants and contributions consist of resources that are required to be used to finance the costs of operating a specific program or can be used either for operating or capital purposes of a specific program. Restricted capital and operating grants and contributions are program revenues because they are specifically attributable to a program are reducing the net expense of that program to the Municipality. They are reported net of estimated uncollectible amounts.

Fund financial statements

The fund financial statements segregate transactions related to certain functions or activities in separate funds in order to aid financial management and to demonstrate legal compliance. These statements present each major fund as a separate column on the fund financial statements; all non-major funds are aggregated and presented in a single column.

The Municipality reports the following major governmental funds:

A) General Fund

This is the operating fund of the Municipality and accounts for all financial resources, except those required to be accounted for in another fund.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B) Debit service fund

This fund accounts for resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

C) Loan \$4,145,000

This fund accounts for proceed and disbursement from a general obligation for capital projects.

Measurement focus, basis of accounting and financial statement presentation

The government-wide financial statement of Net Assets and the Statement of Activities, both government and business like activities, are presented using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time the liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The governmental fund financial statements are presented using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Under this method revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, except for debt service, compensated absences and claims and judgments expenditures which are reported when payment is due.

Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989 generally are followed in the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board. Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The government has elected not to follow subsequent private sector guidance.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement focus, basis of accounting and financial statement presentation (continued)

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements. Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first, than unrestricted resources as they are needed.

Proprietary fund financial statements include a statement of net assets, a statement of revenues, expenses and changes in fund nets, and statements of cash flows for the proprietary fund which include a low income housing project know as Espiritu Santo Project.

The Municipality has elected to not apply all statements and interpretation issued by FASB after November 30, 1989.

Proprietary funds are accounted for using the "economic resources" measurement focus and the accrual basis of accounting. Accordingly, all assets and liabilities (whether current or noncurrent) are include on the statement of net assets. The statement of revenues, expenses and change in fund net assets present increases (revenues) and decrease (expenses) in total net assets. Under the accrual basis of accounting, revenues are recognized in the period in which they are earned while expenses are recognized in the period in which the liability is incurred.

Operating revenues in the proprietary fund are those revenues that are generated from the primary operating of the fund. All other revenues are reported as non-operating revenues. Operating expenses are those expenses that are essential to the primary operations of the fund. All other expenses are reported as non-operating expenses.

Cash, cash equivalents, cash with fiscal agent and investment

The Municipality's finance director is responsible for investing available resources. The Municipality is restricted by law to invest only in savings accounts and certificates of deposit with banks qualified as a depository of public funds by the Puerto Rico Treasury Department (PRTD) or in instruments of the Government Development Bank for Puerto Rico (GDB). The Municipality's policy is to invest any excess cash in interest bearing deposits with institutions qualified by the PRTD. Earnings from these funds are recorded in the corresponding fund as interest income.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Cash with fiscal agent in the governmental fund consists of unused proceeds from bonds and notes issued for the acquisition and construction of major capital improvements. Cash with fiscal agent in the debt service fund represents special additional property tax collections retained by the Municipal Revenue Collection Center (CRIM) and restricted for the payment of the Municipality's debt service, as established by law.

Pursuant to the Statement of Investment Guidelines for the Government of the Commonwealth of Puerto Rico the balances deposited in commercial banks by the Municipality are insured by the Federal Deposit Insurance Corporation (FDIC) generally up to a maximum of \$250,000 per depositor. In addition, public funds deposited in commercial banks by the Municipality are fully collateralized. All securities pledged as collateral are held by agents designated by the Commonwealth's Secretary of Treasury but not in the Municipality's name. Deposits with GDB are uninsured and uncollateralized. However, no losses related to defaults by GDB on deposit transactions have been incurred by the Municipality through June 30, 2012.

The Municipality considers all investments with an original maturity of three months or less to be cash equivalents.

Interfund receivables and payables

Activities between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either due to/from other funds (i.e., the current portion of interfund loans) or advances to/from other funds (i.e., the non-current portion of interfund loans). Interfunds receivables and payables between funds within the governmental activities are eliminated in the statement of net assets.

Capital assets

Capital assets, which include property, plant, equipment, and infrastructure (which is normally immovable and of value only to the Municipality, such as roads, bridges, streets sidewalks, and drainage system), are reported in the government-wide financial statements.

Capital assets purchased or acquired are carried at historical cost or estimated historical cost. Contributed assets are recorded at fair market value as of the date donated. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. When historical cost is not available it is estimated using historic sales of the year of the acquisition of the related capital assets.

Depreciation in capital assets is calculated on the straight-line basis over the following estimated useful lives:

Infrastructure	50 years
Building	40 years
Improvement to land	25 years
Vehicles	7 years
Machinery and equipment	10 years
Computer and printer	3 years
Furniture	15 years

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Risk financing

The Municipality carries insurance to cover casualty, theft, tort claims and other losses. Insurance policies are negotiated by the Puerto Rico Treasury Department and costs are allocated among all the municipalities of Puerto Rico. Cost of insurance allocated to the Municipality and deducted from the gross property tax collections by the Municipal Revenue Collection Center (the "CRIM") for the year ended June 30, 2012 amounted to approximately \$70,155. The current insurance policies have not been cancelled or terminated. The CRIM also deducted approximately \$183,411 for workers compensation insurance covering all municipal employees.

Compensated absences

Employees accumulate vacation leave at a rate of 2.5 days per month up to maximum of 60 days. Unpaid vacation time accumulated is fully vested to the employees from the first day of work. Employees accumulate sick leave at a rate of 1.5 days per month up to a maximum 90 days. In the event of employee resignation, the employee is paid for accumulated vacations days up to the maximum allowed.

Separation from employment prior to use of all or part of the sick leave terminates all rights for compensation, except for employees with ten years or more of service who are entitled to sick leave pay up to the maximum allowed.

Employees' maximum allowed vacations and vested sick benefits are accounted for in the Statement of Net Assets.

Fund Balance

During the year, the Municipality adopted the provisions of GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions (GASB 54), which enhanced the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied. This statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which the Authority is bound to observe constraints imposed upon the use of resources reported in governmental funds.

Pursuant to the provisions of GASB 54, the fund balances amounts are reported as nonspendable restricted, committed, assigned and unassigned, based on the relative strength of the constraints that control how specific amounts can be spent, as described follows:

- ❖ **Nonspendable** – Represent resources that cannot be spent readily with cash or are legally or contractually required not to be spent, including but not limited to inventories, prepaid items, long-term balances of loans and notes receivable.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

- ❖ **Restricted** – Represent resources that can be spent only for the specific purposes stipulated by constitutional provisions, external resource providers (externally imposed by creditors or grantors), or through enabling legislation (that is, legislation that creates a new revenue sources and restrict its use). Effectively, restrictions may be changed or lifted only with the consent of resource providers.
- ❖ **Committed** – Represent resources used for specific purposes, imposed by formal action of the entity's highest level of decision making authority (governing body through resolutions) and can only be charged by similar resolutions, no later than the end of the fiscal year.
- ❖ **Assigned** - Represent resources intended to be used by the entity for specific purposes but do not meet the criteria to be classified as restricted or committed (generally resolutions approved by the governing body). Intent can be expressed by the governing body, or by and official or body to which the governing body delegates authority in conformity with the bylaws of the Authority. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed.
- ❖ **Unassigned** – Represent the residual classification for the entity's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification is used only to report a deficit balance resulting from overspending for specific purpose for which amounts had been restricted, committed, or assigned.

Use of estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

3. PROPERTY TAX

The personal property tax is self assessed by the taxpayer on a return, which is to be filed by May 15 of each year with the Municipal Revenue Collector Center (the CRIM), a governmental entity created by the Commonwealth of Puerto Rico. Real property tax is assessed by the CRIM on each piece of real state and on each building.

The assessment is made as of January 1 of each year and is based on current values for personal property and on estimated value as of 1957 for real property tax. The tax on personal property must be paid in full together with the return by May 15. The tax on real property may be paid in two installments by July 1 and January 1.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

3. PROPERTY TAX (CONTINUED)

The CRIM is responsible for the billing and collections of real and personal property taxes on behalf of all the municipalities of Puerto Rico. Before the beginning of each fiscal year, the CRIM informs the Municipality of the estimated amount of property tax expected to be collected for the ensuing fiscal year. Throughout the year, the CRIM advances funds to the Municipality based on the initial estimated collections. The CRIM is required by law to prepare a settlement statement on a fiscal year basis, where by a comparison is made between the amounts advanced to the Municipality and amounts actually collected from taxpayers.

This settlement has to be completed on a preliminary basis not later than three months after fiscal year-end, and a final settlement made not later than six months after year-end. If the CRIM remits to the Municipality property tax advances, which are less than the tax actually collected, a receivable from the CRIM is recorded at June 30. However, if advances exceed the amount actually collected by the CRIM, a liability to the CRIM is recorded at June 30.

Residential real property occupied by its owner is exempt by law from the payment of property taxes on the first \$15,000 of the assessed value. For such exempt amounts, the Puerto Rico Treasury Department assumes payment of the basic tax to the Municipalities, except for property assessed at less than \$3,500 for which no payment is made. As part of Law No. 83 of August 30, 1991, as amended, the exempt amount to be paid by Puerto Rico Treasury Department to the Municipalities was frozen as of January 1, 1992. In addition, the law grants a tax exception from the payment of personal property taxes of up to \$50,000 of the assessed value to retailers having annual net sales of less than \$150,000.

The annual rate for fiscal year 2012 is 8.78% for real property and 6.78% for personal property of which 1.03% of both tax rates are for the redemption of public debt issued by the Commonwealth of Puerto Rico. The remaining percentage is distributed as follows: (a) 6.0% and 4.0%, respectively, represent the Municipality's basic property tax rate, which is appropriated for general purposes and accounted for in the general fund. A portion of such amount is deposited in an equalization fund together with a percentage of the net revenues of the Puerto Rico electronic lottery and subsidy from the Commonwealth of Puerto Rico. From such fund, a distribution is made to all municipalities; (b) 1.75% represents the special ad valorem tax restricted for debt service and accounted for in the debt service fund. . The Commonwealth contributes an annual tax rate of 0.2% of the property tax collected and the remaining rate is imposed to the taxpayer.

On January 26, 2000, Public Law, as amended, was enacted which authorized the CRIM to obtain a loan up to \$200 million, and for a term not exceeding 30 years, to allow for the financing of the debt that the municipalities of Puerto Rico have with the CRIM arising from final settlements of property tax advances versus actual collections through fiscal year 2000-2001. The amount that the municipalities will collect from the additional property taxes resulting from the increase in the subsidy from the central government to the municipalities was assigned through this law to repay such loan. The increase in this subsidy was the result of the Public Law 238, enacted on August 15, 1999. As of June 30, 2012, the amount due to CRIM amounting to \$169,916 is presented as other long-term debt (see Note 9).

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

3. PROPERTY TAX (CONTINUED)

Total property tax receivable, net of an allowance for uncollectible accounts of \$5,709,379, amounted to \$1,715,999 at June 30, 2012. The composition of property taxes receivable and the related deferred revenues is as follows at June 30, 2012:

	<u>General Fund</u>	<u>Debt service Fund</u>	<u>Total</u>
Gross property taxes receivable	\$8,073,237	\$2,411,487	\$10,484,724
Less allowance for uncollectible accounts	<u>6,744,722</u>	<u>2,024,003</u>	<u>8,768,725</u>
Net property taxes receivable	<u>\$1,328,515</u>	<u>\$ 387,484</u>	<u>\$ 1,715,999</u>
Deferred (unavailable property) tax revenues in GFFS	<u>\$1,230,331</u>	<u>\$ 358,846</u>	<u>\$ 1,589,177</u>

4. VOLUME OF BUSINESS TAX

The municipal license tax is levied annually based on the volume of business of certain businesses and industrial organizations that operate in the Municipality. The tax rates are 1.50% for financing institutions and .50% for the other business institutions. The taxpayers must file a return not later than April 15 of every year and the tax is payable in two installments, due in July 1 and January 1 of the following fiscal year. The amount levied could be paid with a five percent (5%) discount if payment is made on or before the filing date. The Municipality levied and collected during the year ended June 30, 2012, \$546,542 corresponding to the following fiscal year volume of business tax. This amount was recorded as deferred revenue, and is presented as a liability in the accompanying financial statements.

5. SALE TAX

Pursuant to an amendment to Puerto Rico Internal Revenue Code, Act 117 of July 4, 2006, the Municipal Legislature approved the Ordinance 6, Series 2006-2007 to established a city tax contribution, effective November 1, 2006, to 1.5% over all transactions of sales of goods and services made on Aguas Buena's boundaries. According to the Ordinance, these new resources will be principally used in the following activities: repairs and improvements of Municipal roads, infrastructure and sport facilities, construction of curbs and sidewalk, purchases of heavy equipment.

Municipality of Aguas Buenas, Puerto Rico contracted a service organization to manage the imposition and collection of the sales tax.

Pursuant to the provisions of the Law Number 80 of July, 29, 2007 and effective August 1, 2007, the citizenship contribution was uniformly established in 1.5%, for all the municipalities in Puerto Rico, of which 1% will be collected by the municipalities and the remaining .5% will be collected by the Treasury Department of the Commonwealth of Puerto Rico. A portion of those funds will be deposited in the Puerto Rico Governmental Development Bank, as a redemption fund, for financing capital projects to the municipalities.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

6. GRANTS AND ENTITLEMENTS REVENUE

Grants and entitlements revenue consists of contributions received from certain quasi-public corporations of the Commonwealth of Puerto Rico, such as the Puerto Rico Aqueduct and Sewer Authority and the Puerto Rico Electric Power Authority. Also, the Municipality receives some subsidies from the Commonwealth of Puerto Rico which include, among others, a subsidy for general operations and for the financing of capital improvements. The intergovernmental revenues are recorded in the General fund, except for those that are legally restricted for expenditure for specified purposes which are recorded in other governmental funds.

7. DEFERRED REVENUE

Deferred revenue consists of the followings:

Municipal license tax collected in the fiscal year 2012-2013 corresponding to the following fiscal year	\$ 546,542
Portion of grants received for which qualifying expenditures have not been incurred.	135,048
Other receivable not available in current fiscal year	52,809
Property tax deferred for governmental fund financial statement and recurred as income in the governmental wide financial statements.	<u>1,589,177</u>
	<u>\$2,323,576</u>

8. RESTRICTED DEPOSIT

Restricted cash in the business-type activities consists of:

Tenant security deposits	\$ 9,272
Reserve for replacement	<u>216,029</u>
	<u>\$225,301</u>

Under the regulatory agreement, Project is required to set aside amounts for the replacement of property and other Project expenditures approved by HUD. HUD – Restricted Deposits are held in separate accounts and generally are not available for operating purposes.

Tenant’s Security Deposit and its accumulated interest are held in a separate bank savings account in the name of the Project, in compliance with USDA-RD and HUD requirements. Any amounts not returned to the tenant due to lease violations are transferred to the Project’s general operating account.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

9. CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2012 was as follows:

Primary Government	Balance June 30, 2011	Increases	Decreases	Balance June 30, 2012
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 2,117,377			\$ 2,117,377
Construction in progress	<u>1,155,166</u>	<u>\$ 1,836,625</u>	<u>\$(279,952)</u>	<u>2,711,839</u>
	<u>3,272,543</u>	<u>1,836,625</u>	<u>(279,952)</u>	<u>4,829,216</u>
Capital assets being depreciated:				
Infrastructure	2,543,586	328,333		2,871,919
Buildings, park and courts	22,896,392			22,896,392
Machinery and equipment	3,610,366	671,863		4,282,229
Automobiles	<u>2,319,639</u>	<u>22,553</u>		<u>2,342,192</u>
Total capital assets being depreciated	<u>31,369,983</u>	<u>1,022,749</u>		<u>32,392,732</u>
Less accumulated depreciation for:				
Infrastructure	(222,954)	(59,220)		(282,174)
Buildings, parks and courts	(9,665,508)	(568,535)		(10,234,043)
Machinery and equipment	(1,795,403)	(308,205)		(2,103,608)
Vehicles	<u>(2,095,159)</u>	<u>(107,775)</u>		<u>(2,202,934)</u>
Total	<u>(13,779,024)</u>	<u>(1,043,735)</u>		<u>(14,822,759)</u>
Total depreciable capital assets, net	<u>17,590,959</u>	<u>(20,986)</u>		<u>17,569,973</u>
Governmental activities capital assets net	<u>20,863,502</u>	<u>1,815,639</u>	<u>(279,952)</u>	<u>22,399,189</u>
Business-type activities:				
Capital assets net being depreciated:				
Land	<u>50,700</u>			<u>50,700</u>
Capital assets being depreciated:				
Building and improvements	1,967,554			1,967,554
Equipment	<u>165,788</u>	<u>27,275</u>	<u>(14,868)</u>	<u>178,195</u>
	2,133,342	27,275	(14,868)	2,145,749
Less accumulated depreciation:				
Building and improvements and equipment	<u>(1,720,680)</u>	<u>(58,494)</u>		<u>(1,779,174)</u>
Total depreciable capital assets, net	<u>412,662</u>	<u>(31,219)</u>	<u>(14,868)</u>	<u>366,575</u>
Business activities capital assets, net	<u>463,362</u>	<u>(31,219)</u>	<u>(14,868)</u>	<u>417,275</u>
	<u>\$21,326,864</u>	<u>\$ 1,784,420</u>	<u>\$(294,820)</u>	<u>\$ 22,816,464</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

9. CAPITAL ASSETS (CONTINUED)

Depreciation expense was charged to functions/programs of the Municipality as follows:

	Governmental Activities	Business-Type Activities
General administration	\$ 134,443	
Public safety	46,329	
Education and recreation	209,704	
Public works and sanitation	578,411	
Health and welfare	7,314	
Economic development	2,338	
Planning and urban development	65,196	
Housing	<u> </u>	<u>\$58,494</u>
Total depreciation expense	<u>\$1,043,735</u>	<u>\$58,494</u>

10. LONG-TERM DEBTS

Long-term liability activity for the year ended June 30, 2012 was as follows:

Primary Government Governmental activities:	Beginning Balance	Additions	Reductions	Ending Balance	Due within one year
Bonds and notes	\$ 8,258,000	\$1,225,000	\$(470,000)	\$ 9,013,000	\$ 370,000
Other long-term debt:					
Compensated absences	1,196,970	180,590		1,377,560	800,000
Amount due to CRIM	177,454		(7,538)	169,916	6,660
Landfill	<u>1,360,000</u>	<u> </u>	<u> </u>	<u>1,360,000</u>	<u> </u>
Total	10,992,424	1,405,590	(477,538)	11,920,476	1,176,660
Business-type activities:					
Mortgage payable	<u>479,195</u>	<u> </u>	<u>(48,593)</u>	<u>430,602</u>	<u>52,626</u>
Total	<u>\$11,471,619</u>	<u>\$1,405,690</u>	<u>\$(526,131)</u>	<u>\$12,351,078</u>	<u>\$1,229,286</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

10. LONG-TERM DEBTS (CONTINUED)

Governmental activities:

Bonds and notes:

\$920,000 Public Improvement Bonds, Serial 1995-96 payable in annual installments of \$45,000 to \$85,000 through July 1, 2020 plus interest at 6.12%.	\$ 550,000
\$600,000 Public Improvement Bonds, Serial 1989-90 payable in annual installments ranging from \$42,000 to \$48,000 through January 1, 2015, plus interest at 6%.	134,000
\$400,000 Public Improvement Bonds, Serial of 1991-92 payable in annual installments ranging from \$28,000 to \$34,000 through January 1, 2016, plus interest at 5.62%.	124,000
\$2,285,000 General Obligation Bonds, Serial 2005-2006 payable in annual installments ranging from \$55,000 to \$175,000, through July 1, 2030, plus interest at 6.5%.	2,020,000
\$255,000 General Obligation Bonds, Serial 2007-2008 due in annual installments ranging from \$5,000 to \$20,000 through July 1, 2031, plus interest at 6.50%.	230,000
\$535,000 General Obligation Bond, Serial 2008-2009 payable in annual installments ranging from \$80,000 to \$100,000 through July 1, 2014 plus interest based on LIBOR at 90 days plus 1.25%.	265,000
\$955,000 General Municipal Obligation, Serial 2011-12 payable in annual installments ranging from \$35,000 to \$105,000 through July 1, 2025. Interest at 1.5%	955,000
\$1,510,000 Special Obligation Bond, Serial 2003-04 payable in annual installments ranging from \$170,000 to \$195,000 through July 1, 2014 plus interest based on LIBOR at 90 days plus 1.25%.	380,000
\$4,145,000 Special Obligation Bond, Serial 2010-11 payable in annual installments ranging from \$65,000 to \$345,000 through July 1, 2035. Interest at 1.5% over prime rate due semiannually.	4,085,000
\$270,000 Special Obligation Bond serial 2011-12 payable in annual installments ranging from \$15,000 to \$30,000 through July 1, 2023. Interest at 1.5% over prime rate due semiannually.	<u>270,000</u>
	<u>\$9,013,000</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

10. LONG-TERM DEBTS (CONTINUED)

The annual debt service requirements to maturity bonds and notes payables of June 30, 2012 are as follows:

Governmental –type Activities:

<u>Year ended June 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Aggregate Obligation</u>
2013	\$ 370,000	\$ 416,218	\$ 786,218
2014	584,000	573,109	1,157,109
2015	630,000	536,805	1,166,805
2016	314,000	507,034	821,034
2017	310,000	485,125	795,125
2018-2022	1,815,000	2,081,945	3,896,945
2023-2027	1,890,000	1,455,495	3,345,495
2028-2032	1,855,000	792,274	2,647,274
2033-2036	<u>1,245,000</u>	<u>194,812</u>	<u>1,439,812</u>
	<u>\$9,013,000</u>	<u>\$7,042,817</u>	<u>\$16,055,817</u>

Business-type activities:

Mortgage Payable consists of permanent residences loans provided by USDA-Rural Development. The land and buildings of the Project secure the mortgage note. The mortgage note bears interest at 8%, including subsidy interest of 7%. Principal and interest are payable in monthly installments of \$6,566 through 2018. The maturates of the mortgage note at June 30, 2012 for the next five (5) years and thereafter are as follows:

<u>Year ended June 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Aggregate Obligation</u>
2013	\$ 52,626	\$26,165	\$ 78,791
2014	56,994	21,797	78,791
2015	61,724	17,067	78,791
2016	66,847	11,944	78,791
2017	72,396	6,395	78,791
2018-2019	<u>120,015</u>	<u>987</u>	<u>121,002</u>
	<u>\$430,602</u>	<u>\$84,355</u>	<u>\$514,957</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

10. LONG-TERM DEBTS (CONTINUED)

Advances from CRIM and PR Treasury Department

This amount represents the balance owed to CRIM as described in Note 3 and is payable in monthly \$7,276 thereafter including interest at 6.2%. The advances from CRIM and PR Treasury Department mature as follows:

<u>Year ended June 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Aggregate Obligation</u>
2013	\$ 6,660	\$ 10,371	\$ 17,031
2014	6,801	9,955	16,756
2015	6,952	9,531	16,483
2016	7,111	9,097	16,208
2017	7,281	8,653	15,934
2018-2022	39,351	36,204	75,555
2023-2027	45,517	23,184	68,701
2028-2033	<u>50,242</u>	<u>7,967</u>	<u>58,209</u>
	<u>\$169,915</u>	<u>\$114,962</u>	<u>\$284,877</u>

11. RETIREMENT SYSTEM:

Defined Benefit Pension Plan

The Employees' Retirement System of the Commonwealth and its instrumentalities (the "Retirement System"), created pursuant to Act. No. 447 of May 15, 1951, as amended, is a cost-sharing multiple employer defined benefit pension plan sponsored by, and reported as a component unit of the Commonwealth. All regular employees of the Municipality hired before January 1, 2000 and less than 55 years of age at the date of employment became members of the Retirement System as a condition to their employment. No benefits are payable if the participant receives a refund of his/her accumulated contributions.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

11. RETIREMENT SYSTEM (CONTINUED)

The Retirement System provides retirement, death and disability benefits pursuant to legislation enacted by the Commonwealth's legislature. Retirement benefits depend upon age at retirement and the number of years of creditable service. Benefits vest after ten years of plan participation. Disability benefits are available to members for occupational and non-occupational disabilities. However, a member must have at least ten years of service to receive non-occupational disability benefits.

Members who have attained at least 55 years of age and have completed at least 25 years of creditable service or members who have attained 58 years of age and have completed ten years of creditable service are entitled to an annual benefit, payable monthly for life. The amount of the annuity shall be one and one-half percent of the average compensation, as defined, multiplied by the number of years of creditable service up to twenty years, plus two percent of the average compensation, as defined, multiplied by the number of years of creditable service in excess of 20 years. In no case will the annuity be less than \$200 per month.

Participants who have completed at least 30 years of creditable service are entitled to receive the Merit Annuity. Participants who have not attained 55 years of age will receive 65 percent of the average compensation, as defined; otherwise they will receive 75 percent of the average compensation, as defined.

Commonwealth legislation requires employees to contribute 5.775% for the first \$550 of their monthly gross salary and 8.275% for the excess over \$550 of monthly gross salary. The Municipality is required by the same statute to contribute 9.275% of the participant's gross salary.

Defined Contribution Plan

The Legislature of the Commonwealth enacted Act No. 305 on September 24, 1999, which amends Act No. 447 to establish, among others, a defined contribution savings plan program (the "Program") to be administered by the Retirement System. All regular employees hired for the first time on or after January 1, 2000 and former employees who participated in the defined benefit pension plan and are rehired on or after January 1, 2000 become members of a Program as a condition to their employment received a refund of their contributions. In addition, employees who at December 31, 1999 were participants of the defined pension plan, had the option, up to March 31, 2000, to irrevocably transfer their prior contributions to the defined benefit pension plan plus interest thereon to the Program.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

11. RETIREMENT SYSTEM (CONTINUED)

Act No. 305 requires employees to contribute 8.275% of their monthly gross salary to the Program. Employees may elect to increase their contribution up to 10% of their monthly gross salary. Employee contributions are credited to his/her individual account established under the Program. Participants have three options to invest their contributions to the Program. Investment income is credited to the participant's account semi-annually.

The Municipality is required by Act No. 305 to contribute 9.275% of the participant's gross salary. The Retirement System will use these contributions to increase its asset level and reduce the unfunded status of the defined benefit pension plan.

Upon retirement, the balance in the participant's account will be used to purchase an annuity contract, which will provide for a monthly benefit during the participant's life and 50% of such benefit to the participant's spouse in case of the participant's death. Participants with a balance of \$10,000 or less at retirement will receive a lump-sum payment. In case of death, the balance in the participant's account will be paid in a lump-sum to his/her beneficiaries. Participants have the option of a lump-sum or purchasing an annuity contract in case of permanent disability.

Total employees and employer contributions to the above mentioned plans during the year ended June 30, 2012 amounted to approximately \$169,845 and \$193,189, respectively. This amount represented 100% of the required contribution for the corresponding year.

Additional information on the Retirement System is provided in its financial statements for the year ended June 30, 2012, a copy of which can be obtained from the Retirement System.

12. CONTINGENCIES

Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of the expenditures which may be disallowed by the grantor cannot be determined at this time, although the Municipality expects such amounts, if any, to be immaterial.

The Municipality is defendant and/or codefendant in several litigations arising out of the normal Municipality's operations. Most of the cases are covered by insurance. Management, after consultation with legal counsel is of the opinion that the ultimate liability, in excess of insurance coverage, if any, resulting from such pending litigations will not have a material adverse effect on the Municipality's financial position .

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2012

13. MUNICIPAL LANDFILL

State and federal laws and regulations requires to the Municipality to carry out certain closure work when it stops accepting waste and to perform certain maintenance and monitoring functions at site in the following years. In accordance with GASB No. 18 "Accounting for Municipal Solid Waste Landfill Closure and Post Closure Care Costs" the Municipality must has to perform a study of the closing and post closing costs in order to recognize a provision for those costs.

The Municipality operated a solid waste landfill that was closed during 1994. Total closure costs incurred as of June 30, 2012 were approximately \$1,360,000. The closure costs incurred were mostly provided by federal awards under the State Block Grant Program.

The Municipality is still in process of performing tests in the landfill site in order to assess a final settlement of closure and post-closure costs. A preliminary estimate of these costs as of June 30, 2012 amounted to \$1,360,000. Accordingly, a provision for future closure and post closed costs was recognized in the accompanying financial statements.

REQUIRED SUPPLEMENTARY INFORMATION

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF BUDGETARY COMPARISON
FOR THE YEAR ENDED JUNE 30, 2012**

	GENERAL FUND			
	ORIGINAL BUDGET	AMMENDED BUDGET	ACTUAL	VARIANCE WITH FINAL BUDGET FAVORABLE (UNFAVORABLE)
Revenues:				
Taxes:				
Property taxes	\$ 1,558,068	\$ 1,558,068	\$1,558,068	
Municipal tax	700,000	700,000	718,904	\$ 18,904
Construction excise taxes	740,000	740,000	327,843	(412,157)
Interest	120,000	120,000	249,283	129,283
Rent	120,000	120,000	129,247	9,247
Grants and entitlements	6,195,155	6,195,155	6,193,717	(1,438)
Other	<u>823,000</u>	<u>823,000</u>	<u>507,656</u>	<u>(315,344)</u>
Total revenues	<u>10,256,223</u>	<u>10,256,223</u>	<u>9,684,718</u>	<u>(571,505)</u>
Expenditures:				
General administration	4,107,845	4,158,334	4,073,715	84,619
Public safety	609,410	614,532	548,451	66,081
Education, culture and recreational	844,414	858,106	834,547	23,559
Public works and sanitation	3,340,154	3,243,007	3,187,911	55,096
Cultural and Tourist Development	179,001	189,575	188,270	1,305
Economic Development	293,498	298,768	280,029	18,739
Family and Social Development	738,201	739,145	661,536	77,609
Housing and Urban Development	<u>143,700</u>	<u>154,756</u>	<u>151,334</u>	<u>3,422</u>
Total expenditures	<u>10,256,223</u>	<u>10,256,223</u>	<u>9,925,793</u>	<u>330,430</u>
Excess of expenditures over revenues	<u>\$ _____</u>	<u>\$ _____</u>	<u>\$ (241,075)</u>	<u>\$(241,075)</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO SCHEDULE OF BUDGETARY COMPARISON
JUNE 30, 2012

1. BUDGETS AND BUDGETARY ACCOUNTING

The Municipality follows these procedures in establishing the budgetary data reflected in the financial statements:

- 1) Formal budgetary integration is employed as a management control device during the year for the General Fund. Formal budgetary integration is not employed for special revenue funds because effective budgetary control is alternatively achieved through legal and contractual grant requirements provisions.
- 2) On or before May 15, the Mayor submits to the Municipal Legislative Body a proposed operating budget for the fiscal year commencing the following July 1. The operating budget includes proposed expenditures and the means for financing them.
- 3) Prior to June 13, the budget is legally enacted through passage of an ordinance.
- 4) The Municipal Legislative Body approves, by ordinance budget appropriations by functional basis. The Mayor is authorized to transfer budgeted amounts between departments within any fund; however, any revisions that alter the total appropriations of any fund must be approved by the Municipal Legislative Body.
- 5) Unused appropriations for the annual budgeted funds lapse at the end of the year.

The budget is prepared on the budgetary basis of accounting. The actual results of operations, presented in the Statement of Revenues and Expenditures – Budget and Actual General Fund, is in conformity with the budgetary accounting of the Municipality for a better comparison with the budget information.

The presentation of the budgetary data excludes other appropriations such as capital projects, debt service and special revenue funds because projects are funded on a multi-year nature, generally requiring several years to complete or effective budgetary control is alternatively achieved through general obligation bond indentures and legal and contractual grant agreement provisions.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO SCHEDULE OF BUDGETARY COMPARISON
JUNE 30, 2012

2. RECONCILIATION OF GAAP TO BUDGETARY BASIS

Adjustments necessary to reconcile the revenues and expenditures of the General Fund at the end of the year, from the generally accepted accounting principles to budgetary basis, are as follows:

Excess of expenditures over revenues, budgetary basis	\$ (241,075)
Adjustments to accounts payable and accrued expenses	(675,023)
Expenses from state sales tax not budget	(887,676)
Adjustments to accounts receivable	486,767
Income from state sale tax not budget	<u>843,645</u>
Excess of revenues and other financial sources under expenditures and other financial sources per generally accepted accounting principle	<u>\$ (473,362)</u>

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2012**

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2012**

	<u>NUMBER</u>	<u>DISBURSEMENT</u>
<u>US Department of Housing and Urban Development</u>		
Passed through:		
Municipal Service Administration:		
Community Development Block Grant	14.228	\$ 882,618
Puerto Rico Department of Family:		
ARRA-Homeless Prevention and Rapid Re-Housing Program	14.257	204,660
Direct Program:		
Section 8- Housing Choice Vouchers	14.871	1,177,081
Supportive Housing Program	14.235	56,391
<u>US Department of Agriculture</u>		
Passed through:		
PR Department of Education:		
Child and Adult Food Program	10.558	89,478
<u>US Department of Health and Human Services</u>		
Passes through:		
PR Department of Family:		
Child Care and Development Block Grant	93.575	<u>398,367</u>
Total Expenditures Federal Awards		<u>\$2,808,595</u>

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
JUNE 30, 2012

1. BASIS OF PRESENTATION:

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of Municipality of Aguas Buenas, Puerto Rico and is prepared on the modified accrual basis of accounting. Accordingly, amounts presented in the accompanying schedule agree to amounts presented in the basic financial statements.

**REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Carlos R. Diaz Negrón

Certified Public Accountant

MEMBER:

American Institute of Certified Public Accountants
Puerto Rico Society of Certified Public Accountants

PO BOX 408, RAFAEL LASA NO. 44, AGUAS BUENAS, PR 00703 – TEL: 787-732-8020 – FAX: 787-732-0685 - E-MAIL: crdiaznegron@carlosrdiazcpa.com

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

**To the Honorable Mayor and
Municipal Legislative Body
Municipality of Aguas Buenas
Aguas Buenas, Puerto Rico**

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Municipality of Aguas Buenas, Puerto Rico, as of and for the year ended June 30, 2012, which collectively comprise the Municipality of Aguas Buenas, Puerto Rico's basic financial statements and have issued our report thereon dated February 5, 2013. Other auditors audited the financial statements of Espiritu Santo Project, as described in our report on Municipality of Aguas Buenas, Puerto Rico financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting of compliance and other matters that are reported on separately by those auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Municipality of Aguas Buenas, Puerto Rico's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Municipality of Aguas Buenas, Puerto Rico's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Municipality of Aguas Buenas, Puerto Rico's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING (CONTINUED)

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above. However, we identified certain deficiencies in internal control over financial reporting, described in the accompanying schedule of findings and questioned costs that we consider to be significant deficiencies in internal control over financial reporting. Finding 01-12. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

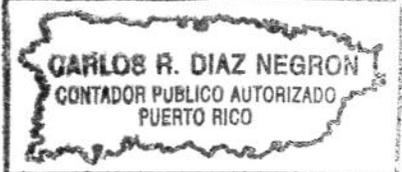
Compliance and Other Matters

As part of obtaining reasonable assurance about whether Municipality of Aguas Buenas, Puerto Rico's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and which are described in the accompanying schedule of findings and questioned costs as items 01-12.

This report is intended solely for the information and use of management, City Council, others within the entity, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

February 5, 2013
Aguas Buenas, Puerto Rico

License No. 1339
Expires December 1, 2013

The stamp No. **E40871** of the Puerto Rico Society of Certified Public Accountants was affixed to the original of this report.

**REPORT ON COMPLIANCE WITH
REQUIREMENTS APPLICABLE
TO EACH MAJOR PROGRAM AND
ON INTERNAL CONTROL
OVER COMPLIANCE IN ACCORDANCE WITH
OMB CIRCULAR A-133**

Carlos R. Díaz Negrón

Certified Public Accountant

MEMBER:

American Institute of Certified Public Accountants
Puerto Rico Society of Certified Public Accountants

PO BOX 408, RAFAEL LASA NO. 44, AGUAS BUENAS, PR 00703 – TEL: 787-732-8020 – FAX: 787-732-0685 - E-MAIL: crdiaznegron@carlosrdiazcpa.com

**REPORT ON COMPLIANCE WITH REQUIREMENTS
APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

**To the Honorable Mayor and
Municipal Legislative Body
Municipality of Aguas Buenas
Aguas Buenas, Puerto Rico**

Compliance

We have audited the compliance of **Municipality of Aguas Buenas, Puerto Rico**, with the types of compliance requirements described in the U. S. Office of Management and Budget (OMB) Circular A-133 *Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2012. Municipality of Aguas Buenas, Puerto Rico's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of Municipality of Aguas Buenas, Puerto Rico's management. Our responsibility is to express an opinion on Municipality of Aguas Buenas, Puerto Rico's compliance based on our audit.

Municipality of Aguas Buenas, Puerto Rico's basic financial statements include the operations of Espiritu Santo Project, which expensed \$710,174 in federal awards which is not included in the schedule during the year ended June 30, 2012. Our audit described below did not include the operations of Espiritu Santo Project because Municipality of Aguas Buenas, Puerto Rico engaged other auditors to perform an audit in accordance with OMB A-133.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Municipality of Aguas Buenas, Puerto Rico's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Municipality of Aguas Buenas, Puerto Rico's compliance with those requirements.

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE (CONTINUED)

As described in items 02-12 and 03-12 in the accompanying schedule of findings and questioned cost the Municipality of Aguas Buenas, Puerto Rico did not comply with requirements regarding special test and provision that are applicable to the Housing Choice Voucher program. Compliance with such requirements is necessary in our opinion for Municipality of Aguas Buenas, Puerto Rico to comply with the requirement applicable.

In our opinion, except for the non compliances described in the preceding paragraph, Municipality of Aguas Buenas, Puerto Rico, complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2012.

Internal Control Over Compliance

Management of Municipality of Aguas Buenas, Puerto Rico, is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered Municipality of Aguas Buenas, Puerto Rico's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Municipality of Aguas Buenas, Puerto Rico's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies, of material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, we identify certain deficiencies in internal control over compliance that we consider to be significant deficiencies as described in the accompanying schedule of findings and questions costs as items 02-12 to 03-12. A significant deficiency in internal control over compliance is a deficiency, of a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

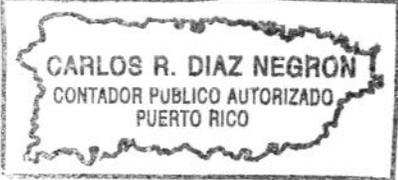
REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE (CONTINUED)

Municipality of Aguas Buenas, Puerto Rico's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit Municipality of Aguas Buenas, Puerto Rico's responses and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of management, City Council, others within the entity, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

February 5, 2013
Aguas Buenas, Puerto Rico

License No. 1339
Expire December 1, 2013

CARLOS R. DIAZ NEGRÓN
CONTADOR PÚBLICO AUTORIZADO
PUERTO RICO

The stamp No. **E40872** of the Puerto Rico Society of Certified Public Accountants was affixed to the original of this report.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2012**

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2012**

SECTION I - SUMMARY OF AUDITOR'S RESULTS

Financial Statements

Type of auditor's report issued Unqualified

Internal control over financial reporting:

- Material weakness identified? ___yes X no
- Significant deficiency identified that is not considered to be material weaknesses? X yes ___no

Noncompliance material to financial statement noted? ___yes X no

Federal Awards

Internal control over major programs:

- Material weakness identified? ___yes X no
- Significant deficiency identified that are not considered to be material weakness? X yes ___no

Type of auditor's report issued on compliance for major programs Qualified

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of Circular A-133 X yes ___no

Identification of major programs:

<u>CFA Number(s)</u>	<u>Name of Federal Program</u>
14.871	Section 8 – Housing Choice Voucher
14.228	Community Development Block Grants
93.575	Child Care Development Block Grant

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Audit qualified as low-risk audited? ___yes X no

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2012

SECTION II - FINANCIAL STATEMENT FINDINGS

Finding No. 01-12 - Municipal Solid Waste Landfill GASB 18

The estimated liability and the related disclosure presented in the financial statement related to costs of closure and postclosure of the Municipal solid waste landfill is not based on actual engineering studies. Therefore, we were unable to obtain a reliable base on which those estimates were based. Management believes that the effect in the basic financial statements is not material. However, as years going by the accrual will be material and the amount must be based on reliable sources.

We recommend performing the engineering studies to determine the factors necessary to calculate the amount to be accrued for cost closure and postclosure care. These costs include the following:

- The cost of equipment expected to be installed and facilities expected to be constructed near or after the date the landfill stops accepting waste and during the postclosure period. Such equipment might include gas monitoring and collection systems, storm water management systems, and groundwater monitoring wells.
- The cost of final cover (i.e., capping) expected to be applied near or after the closure date.
- The cost of monitoring and maintaining the expected usable landfill area during the postclosure period.

The amount to be accrued each period should be determined using a depletion approach and should be based on the percentage of capacity used during the period.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012**

SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS (CONTINUED)

Finding No. 02-12 – Reasonable Rent

Federal program

CFDA No. 14.871 – Housing Choice Voucher

Compliance requirement:

Special Tests and Provisions – Reasonable Rent

Category:

Compliance

Condition:

During our examination, we selected 26 participants' file to test compliance with housing quality standard requirement. Four of the file did not contain a reasonable rent document or evidence of verification of the documentation that on PHA requirements was complete.

Criteria:

24 CFR sections 982.4, 982.54(d)(15), 982.158(f)(7), and 982.507 establish that the PHA may not approve a lease until the PHA determines that the initial rent to owner is a reasonable rent. The PHA must redetermine the reasonable rent: Before any increase in the rent to owner; if there is a five percent decrease in the published FMR in effect 60 days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect 1 year before the contract anniversary; or if directed by HUD. The PHA may also redetermine the reasonable rent at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or redetermined by the PHA. The PHA must determine whether the rent to owner is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, the PHA must consider: The location, quality, size, unit type, and age of the contract unit; and any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease. By accepting each monthly housing assistance payment from the PHA, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises. The owner must give the PHA information requested by the PHA on rents charged by the owner for other units in the premises or elsewhere. The PHA administrative plan must cover PHA policies on the method of determining that rent to owner is a reasonable rent. The PHA must keep the records to document the basis for PHA determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract).

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012**

SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS (CONTINUED)

Finding No. 02-12 – Reasonable Rent (CONTINUED)

Effect:

The continue occurrence of the condition may result in the disallowance of program cost. In addition, the ability to manage federal awards in compliance with laws, regulations, and provisions of contracts grant awards could also questioned.

Questioned cost:

None

Recommendation:

We recommend that the Municipality establish an adequate internal control system to ascertain compliance with the requirements of the program. The internal control system should include at least that file should be revised the internal audit department.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012

SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS (CONTINUED)

Finding No. 03-12 – Utility Allowance

Federal program

CFDA No. 14.871 – Housing Choice Voucher

Compliance requirement:

Special Tests and Provisions – Utility Allowance

Category:

Compliance

Condition:

During our examination, we selected 25 participants' file to test compliance with housing quality standard requirement. Four (4) of the file the amount reported in form 50059 is not same with utility allowance schedule. In six (6) files the PHA not updated the utility allowance schedule during the year. Eight (8) of the file did not contain a utility allowance schedule or evidence of verification of the documentation that on PHA requirements was complete.

Criteria:

24 CFR sections 982.517 establish that the PHA must maintain a utility allowance schedule for all tenant-paid utilities (except telephone), for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services (e.g., trash collection (disposal of waste and refuse)). The PHA must give HUD a copy of the utility allowance schedule. At HUD's request, the PHA also must provide any information or procedures used in preparation of the schedule. The utility allowance schedule must be determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, the PHA must use normal patterns of consumption for the community as whole and current utility rates. A PHA's utility allowance schedule, and the utility allowance for an individual family, must include the utilities and services that are necessary in the locality to provide housing that complies with the housing quality standards. However, the PHA may not provide any allowance for non-essential utility costs, such as costs of cable or satellite television. In the utility allowance schedule, the PHA must classify utilities and other housing services according to the following general categories: space heating; air conditioning; cooking; water heating; water; sewer; trash collection (disposal of waste and refuse); other electric; refrigerator (cost of tenant-supplied refrigerator); range (cost of tenant-supplied range); and other specified housing services. The PHA must provide a utility allowance for tenant-paid air-conditioning costs if the majority of housing units in the market provide centrally air-conditioned units or there is appropriate wiring for tenant-installed air conditioners. The cost of each utility and housing service category must be stated separately. For each of these categories, the utility allowance schedule must take into consideration unit size (by number of bedrooms), and unit types (e.g., apartment, row-house, town house, single-family).

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2012**

SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS (CONTINUED)

Finding No. 03-12 – Utility Allowance (CONTINUED)

detached, and manufactured housing) that are typical in the community. The utility allowance schedule must be prepared and submitted in accordance with HUD requirements on the form prescribed by HUD.

A PHA must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there PHAs been a change of 10 percent or more in the utility rate since the last time the utility allowance schedule was revised. The PHA must maintain information supporting its annual review of utility allowances and any revisions made in its utility allowance schedule. At HUD's direction, the PHA must revise the utility allowance schedule to correct any errors, or as necessary to update the schedule. The PHA must use the appropriate utility allowance for the size of dwelling unit actually leased by the family (rather than the family unit size as determined under the PHA subsidy standards). At reexamination, the PHA must use the PHA current utility allowance schedule. On request from a family that includes a person with disabilities, the PHA must approve a utility allowance which is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by the family member with a disability.

Effect:

The continue occurrence of the condition may result in the disallowance of program cost. In addition, the ability to manage federal awards in compliance with laws, regulations, and provisions of contracts grant awards could also questioned.

Questioned cost:

None

Recommendation:

We recommend that the Municipality establish an adequate internal control system to ascertain compliance with the requirements of the program. The internal control system should include at least that file should be revised the internal audit department.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF AGUAS BUENAS**

EXHIBIT – I

**CORRECTIVE ACTION PLAN
FOR YEAR ENDED JUNE 30, 2012**



Estado Libre Asociado de Puerto Rico
 Gobierno Municipal de Aguas Buenas
 Hon. Luis Arroyo Chiqués

DEPARTAMENTO DE FINANZAS Y PRESUPUESTO

**CORRECTIVE ACTION PLAN
 SINGLE AUDIT FOR THE YEAR ENDED JUNE 30, 2012**

Finding No. 01-12 Municipal Solid Waste Landfill GASB 18

PROGRAM DEFICIENCY	OBJECTIVES	KEY TASK/ ACTION ITEMS	OBSTACLES	RESOURCES	LEAD STAFF NAME AND POSITION	COMPLETION TARGET DATE	ACTUAL COMPLETION DATE	IMPLEMENTATION PROGRESS COMMENTS
The estimated liability and related disclosure presented in the financial statement related to engineering studies. Therefore, we were unable to obtain a reliable base on which of those estimates were based. Management believes that the effect in June 30, 2006 financial statements is not material. However, these years going by the accrual will be material and the amount must be on reliable sources.	Closing of landfill	The Municipality has finished the Municipal Solid Waste Landfill. The JCA the agency that has to do soil, air, gas and water test during next year. After this the closing is completed.			José Ortiz Federal Programs Accountant (787) 732-2811	June 30, 2012		The Municipality has finished the closing process. The Environmental Quality Board will realize air, gas, soil and water test during the year for finished the closing process.



MUNICIPALITY OF AGUAS BUENAS
CORRECTIVE ACTION PLAN
FOR DEPARTAMENTO DE LA FAMILIA Y DESARROLLO SOCIAL OFICINA DE VIVIENDA MUNICIPAL 2012-2013
UPDATED March 14, 2013

Finding No. 02-12 – Reasonable Rent

Program Deficiency	Objectives	Key Tasks/Action Items	Obstacles	Resources	Lead Staff Name and Position	Completion Target Date	Actual Completion Date	Implementation Progress/Comments
<p>During our examination we selected 26 participant's files to test compliance with housing quality standard requirement. Four of the files did not contain a reasonable rent document or evidence of verification of the documentation that on PHA Requirements was complete.</p>	<p>We recommend that the Municipality establish an adequate internal control system to ascertain compliance with requirements of the program. The internal control system should include at least that file be revised the internal audit Department.</p>	<ol style="list-style-type: none"> The Municipality used the 24 CFR 982.54 (14)(15) Municipality's Administrative Plan 	<ol style="list-style-type: none"> Change of Department Administration 	<ol style="list-style-type: none"> Internal PHA Administrative Plan 24 CFR 982 	<ol style="list-style-type: none"> Oscar Colon Santiago Renigno Diaz Escribano Jose A Cruz Inspector and Quality control 	<p>Already in affect</p>	<p>February 10, 2012 This date was established and for an unexpected reason there are some files that did not contain the rent reasonability and we have a new expected date of completion April 30, 2013</p>	<p>See Municipality of Aguas Buenas Administrative Plan page 142-146</p> <p>Also Formulario de Razonabilidad de Renta</p> <p>Has been included in quality control sheet upon recertification which is assign to Jose A. Cruz Martinez to verify. See Quality Control Form</p> <p>As of internal audit recommendation we must consider the PHA's obligation to keep <i>confidential</i> see page 24 XI Administrative Plan Privacy and Confidential</p>



Finding No. 03-12 Utility Allowance

Program Deficiency	Objectives	Key Tasks/Action Items	Obstacles	Resources	Lead Staff Name and Position	Completion Target Date	Actual Completion Date	Implementation Progress/Comments
<p>During our examination, we selected 25 participants file to compliance with housing quality standard requirement. four of the amount reported in form 50059 is not same with utility allowance schedule. In six files the PHA not updated the utility allowance schedule during the year. Eight of the file did not contain a utility allowance schedule or evidence of verification of the documentation that on PHA requirements was complete</p>	<p>We recommend that the Municipality establish and Adequate Internal Control system to ascertain compliance with the requirements of the program. The internal control system should include at least that file should be revised the internal audit department.</p>	<ol style="list-style-type: none"> The Municipality used the 24 CFR 982.517 Municipality's Administrative Plan 	<ol style="list-style-type: none"> Change of Department Administration 	<ol style="list-style-type: none"> Internal PHA Administrative Plan 24 CFR 982 	<ol style="list-style-type: none"> Oscar Colon Santiago Supervisor Benigno Diaz Escrbano Inspector Jose A. Cruz Martinez Inspector and Quality Control 	<p>Already in effect</p>	<p>February 10, 2012 This date was established and for an unexpected reason there are some files that did not contain the Utility Allowance and we have a new expected date of completion April 30, 2013</p>	<p>See Municipality of Aguas Buenas Administrative Plan Page 112 Also HUD FORM 52667 Mr. Benigno Diaz Escrbano is assigned to make the utility allowance study every year Has been included in quality control sheet upon recertification which is assign to Jose A. Cruz Martinez to verify. See Quality Control Form As of internal audit recommendation we must consider the PHA's obligation to keep confidential see page 24 XI Administrative Plan Privacy and Confidential</p>