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**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES**

**BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED
JUNE 30, 2008**

ORTIZ, RIVERA, RIVERA & CO.

CERTIFIED PUBLIC ACCOUNTANTS • VALUE ADDED SERVICES

Suite 152, PO Box 70250, San Juan, P.R. 00936-7250 • Phone (787) 756-8524, Fax (787) 274-0562

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MUNICIPALITY OF CIALES
BASIC FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

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INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and
Municipal Legislature
Municipality of Ciales
Ciales, Puerto Rico

We have audited the accompanying financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the Municipality of Ciales, as of and for the year ended June 30, 2008, which collectively comprise the Municipality's 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 opinions on these financial statements based on our audit. We did not audit the financial statements of Colinas de Jaguas Project, as of June 30, 2008. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for Colinas de Jaguas Project, is based 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 *Government Auditing Standards*, issued by the Comptroller General of the United States. 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, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the Municipality of Ciales as of June 30, 2008, the respective changes in financial position, and the respective budgetary comparison for the general and debt service funds, thereof for the fiscal year

then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 15, 2008 on our consideration of the Municipality's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grants 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 the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and important for assessing the results of our audit.

The Management's Discussion and Analysis on pages 3 through 10 is not a required part of the basic financial statements, but is supplementary information required by the accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquires of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

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 purposes 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 has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

San Juan, Puerto Rico
December 15, 2008

Ortiz, Rivera, Rivera & Co.

The stamp 2386820 was affixed to the original of this report.



MANAGEMENT'S DISCUSSION AND ANALYSIS

The Municipality of Ciales (the "Municipality") discussion and analysis has been designed with the followings goals:

- a) Assist the reader in focusing on significant financial issues,
- b) Provide an overview of the Municipality's financial activity,
- c) Identify changes in the Municipality's financial position (its ability to address the next and subsequent year challenges),
- d) Identify any material deviations from the financial plan (the approved budget), and;
- e) Identify individual fund issues or concerns.

Since the Management's Discussion and Analysis (MD&A) is designed to focus on the current year activities, resulting changes and currently known facts, please read it in conjunction with the Municipality's financial statements.

FINANCIAL HIGHLIGHTS

- The Municipality net assets increased by \$854,494.
- Capital assets increased by \$2,613,929.
- Capital expenditures amounted to \$3,712,223.
- General fund deficit decreased by \$313,007.

USING THIS ANNUAL REPORT

This annual report consists of a series of new financial statements with a change in the focus from previous financial statements. The new focus is on both the Municipality as a whole (government-wide) and the major individual funds. Both perspectives (government-wide and major fund) allow the user to address relevant questions, broaden a basis for comparison (year to year or government to government) and enhance the Municipality's accountability.

Government-Wide Financial Statements

The Government-Wide Financial Statements are designed to provide users of the financial statements with a broad overview of the Municipality's finances in a manner similar to private-sector companies.

The Statement of Net Assets presents information on all of the Municipality's assets and liabilities, with the difference between both reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Municipality is improving or deteriorating.

The Statement of Activities presents information showing how the Municipality's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. Thus, revenues and expenses are reported in the Statement of Activities that will only result in cash flows in future fiscal periods. The Statement of Activities is focused on both the gross and net cost of various activities, which are provided by the government's general tax and other revenues. This is intended to summarize and simplify the user's analysis of cost of various governmental services.

Fund Financial Statements

The Fund Financial Statements provide detailed information about the Municipality's most significant funds, not the Municipality as a whole. The Municipality has only one kind of fund which is the governmental fund.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the Government Wide Financial Statements. However, unlike the Government Wide Financial Statements, Government Fund Financial Statements focus on near term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information is useful in evaluating the Municipality's near term financial requirements.

Because the focus of governmental funds is narrower than that of the government wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government wide financial statements. By doing so, users of the basic financial statements may better understand the long-term impact of the Municipality's near term financial decisions. Both of the Governmental Fund Balance Sheet and the Governmental Fund Statement of Revenues, Expenditures and Changes in Fund Balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

Infrastructure Assets

Historically, a government's largest group of assets (infrastructure – roads, bridges, traffic signals, underground pipes [unless associated with a utility], etc.) have not been reported nor depreciated in government financial statements. GASB 34 requires that these assets be valued and reported within the governmental column of the Government-Wide Statements. Additionally, the government must elect to either (a) depreciate these assets over their estimated useful life or (b) develop a system of asset management designed to maintain the service delivery potential to near perpetuity. If the government develops the asset management system (the modified approach) which periodically (at least every third year), by category, measures and demonstrates its maintenance of locally established levels of service standards, the government may record its cost of maintenance in lieu of depreciation. The information about the condition and maintenance of condition of the government infrastructure assets should assist financial statement users in evaluating a local government and its performance over time. The Municipality has elected to depreciate infrastructure assets instead of using the modified approach.

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE

Net Assets

As noted earlier, net assets may serve over time as a useful indicator of a government's financial position. The Municipality's net assets totaled \$11.573 million at the end of 2008, compared to \$10.969 million at the end of the previous year.

The largest portion of the Municipality's net assets consists of the investment made throughout the years in capital assets such as land, buildings, equipment and infrastructure. The Municipality uses these capital assets to provide services to its citizens; consequently, these assets are not available for future spending. Although, the Municipality's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from the Debt Service Fund, since the capital assets themselves cannot be used to liquidate these liabilities. The amounts restricted for debt service represents another portion of the net assets, and these are resources subject to external restrictions for the purposes explained above.

The unrestricted deficit is the consequence of previous budgets which did not provide funding for incurred long-term obligations such as compensated absences and claims and judgments among others. Historically, such obligations have been budgeted on a pay as you go basis without providing funding for their future liquidation. Consequently, the Municipality cannot draw from its existing assets to provide services to its citizens and depends on its taxing ability to continue its operations. The restricted portion consists of monies reserved for debt service and future capital expenditures.

Capital assets increased by \$2,613,929 from the year 2007, mainly due to investments in infrastructure and the construction of "Paseo Lineal".

Condensed Statement of Net Assets

June 30, 2008 and 2007

	<u>2008</u>	<u>2007</u>
Current assets	\$ 4,729,134	\$ 3,072,110
Capital assets	<u>20,488,252</u>	<u>17,874,323</u>
Total assets	<u>25,217,386</u>	<u>20,946,433</u>
Current liabilities	5,998,575	4,890,790
Noncurrent liabilities	<u>7,802,564</u>	<u>5,086,977</u>
Total liabilities	<u>13,801,139</u>	<u>9,977,767</u>
Invested in capital assets, net of related debt	17,842,252	16,720,323
Restricted	3,241,783	2,353,271
Unrestricted	<u>(9,667,788)</u>	<u>(8,104,928)</u>
Total net assets	<u>\$ 11,416,247</u>	<u>\$ 10,968,666</u>

Changes in Net Assets

The Municipality's net assets were increased by \$854,494. Approximately 66 percent of the Municipality's total revenue came from grants and contributions, including federal aid, while 16 percent resulted from taxes. The Municipality's expenses cover a range of services. The largest expenses were for general government, public works and health and welfare.

Condensed Statement of Activities		
June 30, 2008 and 2007		
	2008	2007
Program revenues		
Charges for services	\$ 855,146	\$ 449,797
Operating grants and contributions	2,394,476	1,815,035
Capital grants and contributions	1,562,417	-
General revenues		
Property taxes	1,568,234	1,289,551
Municipal license tax	790,212	1,073,810
Sales and use taxes	457,595	-
Grants and contributions not restricted to specific programs	5,340,681	7,657,007
Interest and investment earnings	12,254	24,082
Miscellaneous	1,683,522	1,042,774
Total revenues	14,664,537	13,352,056
Expenses		
General government	6,233,591	3,891,431
Public safety	967,473	797,794
Public works	2,368,721	3,483,440
Culture and recreation	563,797	498,509
Health and welfare	3,405,147	2,549,420
Education	-	41,711
Interest on long-term debt	271,314	152,038
Total expenses	13,810,043	11,414,343
Change in net assets	854,494	1,937,713
Net assets, beginning of year, as restated	10,561,753	9,030,953
Net assets, end of year	\$ 11,416,247	\$ 10,968,666

FINANCIAL ANALYSIS OF THE MUNICIPALITY'S INDIVIDUAL FUNDS

As noted earlier, the Municipality uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

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 a combined deficit of \$1,269,441 compared to a deficit of \$1,818,680 in the prior year. There are reservations of fund balance amounting to \$3,466,699. This is the fund balance that is not available for new spending because it has already been committed 1) to liquidate contracts and purchase orders of the prior fiscal year (\$224,916) and 2) to pay debt service (\$348,473) and 3) to pay for capital projects (\$2,893,310).

The general fund is included within the governmental funds; it is the chief operating fund of the Municipality. As of June 30, 2008, the general fund has a deficit of \$4,569,647. The deficit decreased by \$313,007 during fiscal year 2008. Key factor for the decrease were mostly the unspent proceeds of the issuance of long-term debt for capital expenditures.

GENERAL FUND BUDGETARY HIGHLIGHTS

Over the course of the year, the Municipality Council revised the Municipality's budget to reclassify certain expenditures among the different governmental functions. Such reclassifications were necessary to provide for the developments that affected the Municipality's finances.

The most significant variance between budget and actual results was a revenue shortfall on Intergovernmental revenue.

The reason for the shortfall in Intergovernmental revenue is mainly related to the budgetary constraints faced by the Commonwealth of Puerto Rico which in turn is affecting the Municipality.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

The Municipality's investment in capital assets as of June 30, 2008, amounts to \$29.4 million, net of accumulated depreciation of \$8.9 million, leaving a net book value of \$20.5 million. This investment in capital assets includes land, buildings, improvements, equipment, intangibles, infrastructure and construction in progress. 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 total increase in the Municipality's investment in capital assets for the current fiscal year was about 15.50% in terms of net book value. Actual expenditures to purchase or construct capital assets were \$3.8 million for the year. Depreciation charges for the year totaled \$1.1 million.

The Municipality finances a significant portion of its construction activities through bond issuances. The proceeds from bond 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, 2008, the Municipality has \$1.2 million of unexpended proceeds from bond issuances that are committed to future construction activities. The Municipality also has \$1.7 million of unexpended proceeds from grants that are committed to future construction activities.

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 grants to carry out the governmental activities. Historically, property and municipal taxes have been very predictable with increases of approximately five percent. Federal 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 2008-2009 fiscal year.

The most significant changes between the budget for fiscal year 2007-2008 and the one for fiscal year 2008-2009 were the following:

- Increase of \$349,968 in sales and use tax
- Increase of \$673,558 in general government expenditures

The increase in the sales and use tax represents is mostly related to \$375,000 expected to be collected this fiscal year that corresponds to the previous fiscal year. Such amount was not recognized as revenue in fiscal year 2007-2008 since it did not meet the available criteria needed in order to be recognized.

The increase in general government expenditures is mainly due to the budgeting of \$900,000 to decrease the accumulated deficit of the general fund.

FINANCIAL CONTACT

The Municipality's financial statements are designed to present users (citizens, taxpayers, 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 on the 1st floor of the Town Hall, Ciales, Puerto Rico 00638.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
STATEMENT OF NET ASSETS
JUNE 30, 2008**

<u>Assets</u>	<u>Governmental Activities</u>	<u>Colinas de Jaguas</u>
Cash in bank (Notes 2 and 5)	\$ 554,467	\$ 2,745
Cash with fiscal agent (Notes 2 and 5)	1,819,589	
Accounts receivable:		
Property taxes	3,322	
Due from other agencies (Note 9)	2,351,756	
Restricted deposits		154,085
Other assets		6,549
Capital assets, net (Note 11)	<u>20,488,252</u>	<u>555,886</u>
 Total assets	 <u>\$ 25,217,386</u>	 <u>\$ 719,265</u>
 <u>Liabilities and Net Assets</u>		
Liabilities		
Bank overdraft	\$ 586,060	\$ -
Accounts payable and accrued liabilities	798,698	25,374
Due to other agencies (Note 12)	3,765,987	
General obligations:		
Bonds	220,000	
Interest	43,805	
Deferred revenues (Note 13):		
Municipal license tax	584,025	
Noncurrent liabilities (Note 15):		
Due within one year	625,964	20,349
Due in more than one year	7,176,600	1,548,986
Total liabilities	<u>13,801,139</u>	<u>1,594,709</u>
Net Assets		
Investment in capital assets, net of related debt	17,842,252	
Restricted for:		
Debt service	348,473	
Capital project	2,893,310	
Unrestricted	(9,667,788)	(875,444)
Total net assets	<u>11,416,247</u>	<u>(875,444)</u>
 Total liabilities and net assets	 <u>\$ 25,217,386</u>	 <u>\$ 719,265</u>

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

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenues</u>		<u>Net (Expense) Revenue and Changes in Net Assets</u>		
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>	<u>Primary Governmental Activities</u>	<u>Component Unit Colinas de Jaguas Project</u>
Primary Government:						
General government	\$ 6,233,591	\$ 855,146	\$ -	\$ -	\$ (5,378,445)	\$ -
Public safety	967,473				(967,473)	
Public housing and welfare	2,502,524		2,394,476	1,562,417	1,454,369	
Recreation	563,797				(563,797)	
Health and welfare	902,623				(902,623)	
Public work	2,368,721				(2,368,721)	
Interest on long-term debt	271,314				(271,314)	
Total primary government	<u>\$ 13,810,043</u>	<u>\$ 855,146</u>	<u>\$ 2,394,476</u>	<u>\$ 1,562,417</u>	<u>(8,998,004)</u>	<u>-</u>
Component Unit:						
Colinas de Jaguas Project	<u>\$ 381,673</u>	<u>\$ 314,009</u>	<u>\$ -</u>	<u>\$ -</u>		<u>(67,664)</u>
General revenues:						
Property taxes (Note 6)					1,568,234	
Municipal license tax (Note 7)					790,212	
Sales and use taxes (Note 8)					457,595	
Grants and contributions not restricted to specific programs					5,340,681	
Interest, fines and penalties					12,254	
Miscellaneous					1,683,522	
Total general revenues					<u>9,852,498</u>	
Change in net assets					854,494	(67,664)
Net assets at beginning of year, as restated (Note 21)					<u>10,561,753</u>	<u>(807,780)</u>
Net assets at end of year					<u>\$ 11,416,247</u>	<u>\$ (875,444)</u>

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

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
BALANCE SHEET-GOVERNMENTAL FUNDS
JUNE 30, 2008**

<u>Assets</u>	<u>General</u>	<u>Bonds Issuance</u>	<u>Bond \$1.7 Million</u>	<u>Debt Service</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
Cash and cash equivalents (Notes 2 and 5)	\$ 445,373	\$ 304	\$ -	\$ -	\$ 108,790	\$ 554,467
Cash with fiscal agent (Notes 2 and 5)	4,342		1,179,376	608,956	26,915	1,819,589
Accounts receivable:						
Property taxes				3,322		3,322
Due from other agencies (Note 9)	1,974,913				376,843	2,351,756
Due from other funds (Note 10)	169,990	682,748			1,184,622	2,037,360
Total assets	\$2,594,618	\$ 683,052	\$ 1,179,376	\$ 612,278	\$ 1,697,170	\$ 6,766,494

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

ORTIZ, RIVERA, RIVERA & CO.

CERTIFIED PUBLIC ACCOUNTANTS • VALUE ADDED SERVICES

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**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
BALANCE SHEET-GOVERNMENTAL FUNDS
JUNE 30, 2008**

Liabilities and Fund Balance (Deficit)	General	Bond Issuance	Bond \$1.7 Million	Debt Service	Other Governmental Funds	Total Governmental Funds
Liabilities						
Bank overdraft	\$ 586,060	\$ -	\$ -	\$ -	\$ -	\$ 586,060
Accounts payable and accrued liabilities	360,823	154,844			283,031	798,698
Due to other funds (Note 10)	1,867,370				169,990	2,037,360
Due to other agencies (Note 12)	3,765,987					3,765,987
General obligations:						
Bonds				220,000		220,000
Interest				43,805		43,805
Deferred revenues: (Note 13)						
Municipal license tax	584,025					584,025
Total liabilities	<u>7,164,265</u>	<u>154,844</u>	<u>-</u>	<u>263,805</u>	<u>453,021</u>	<u>8,035,935</u>
Fund Balance (Deficit)						
Reserved for:						
Encumbrances	224,916					224,916
Debt service				348,473		348,473
Capital projects		528,208	1,179,376		1,185,726	2,893,310
Unreserved fund balance (deficit)	(4,794,563)				58,423	(4,736,140)
Total fund balance (deficit)	<u>(4,569,647)</u>	<u>528,208</u>	<u>1,179,376</u>	<u>348,473</u>	<u>1,244,149</u>	<u>(1,269,441)</u>
Total liabilities and fund balance	<u>\$ 2,594,618</u>	<u>\$ 683,052</u>	<u>\$ 1,179,376</u>	<u>\$ 612,278</u>	<u>\$ 1,697,170</u>	<u>\$ 6,766,494</u>

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

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
RECONCILIATION OF THE GOVERNMENTAL FUNDS
BALANCE SHEET TO STATEMENT OF NET ASSETS
JUNE 30, 2008

Total fund balances - governmental funds	\$ (1,269,441)
Amounts reported for governmental activities in the statement of net assets are different because:	
• Capital assets, net used in governmental activities are not current financial resources and therefore are not reported in the governmental funds balance sheet	20,488,252
• Some liabilities, including bonds payable, are not due and payable in the current period and therefore are not reported in the funds. (Note 4)	<u>(7,802,564)</u>
Net assets of governmental activities	<u>\$ 11,416,247</u>

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

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES (DEFICIT) -GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

	General	Bonds Issuance	Bond \$1.7 Million	Debt Service	Other Governmental Funds	Total Governmental Funds
REVENUES						
Property taxes (Note 6)	\$ 1,325,741	\$ -	\$ -	\$ 242,493	\$ -	\$ 1,568,234
Municipal license taxes (Note 7)	790,212					790,212
Sales and use taxes (Note 8)	199,000			258,595		457,595
Licenses, permits, and other local taxes	389,386					389,386
Charges for services	465,760					465,760
Intergovernmental revenues (Note 14):						
Federal grants and contributions					2,394,476	2,394,476
State contributions	5,300,781	1,562,417			39,900	6,903,098
Interest, fines, and penalties	562			10,538	1,154	12,254
Other revenues	1,683,522					1,683,522
Total revenues	<u>10,154,964</u>	<u>1,562,417</u>	<u>-</u>	<u>511,626</u>	<u>2,435,530</u>	<u>14,664,537</u>
EXPENDITURES						
Current:						
General government	5,440,992				46,636	5,487,628
Public safety	813,000				89,256	902,256
Public housing and welfare					2,471,413	2,471,413
Recreation	338,757					338,757
Public works	2,238,814					2,238,814
Health and sanitation	860,912					860,912
Capital outlays	1,108,652	1,934,788	560,484		108,299	3,712,223
Debt service:						
Principal				745,068		745,068
Interest and other				271,314		271,314
Total expenditures	<u>10,801,127</u>	<u>1,934,788</u>	<u>560,484</u>	<u>1,016,382</u>	<u>2,715,604</u>	<u>17,028,385</u>
Deficiency of revenues under expenditures	<u>(646,163)</u>	<u>(372,371)</u>	<u>(560,484)</u>	<u>(504,756)</u>	<u>(280,074)</u>	<u>(2,363,848)</u>
OTHER FINANCING SOURCES (USES)						
Loan proceeds	1,610,000		1,710,000			3,320,000
Transfers in	13,417			664,247		677,664
Transfers out	(664,247)			(13,417)		(677,664)
Total other financing sources	<u>959,170</u>	<u>-</u>	<u>1,710,000</u>	<u>650,830</u>	<u>-</u>	<u>3,320,000</u>
Excess (deficiency) of revenues over (under) expenditures and other financing sources (uses)	313,007	(372,371)	1,149,516	146,074	(280,074)	956,152
FUND BALANCE (DEFICIT) AT BEGINNING OF YEAR, AS RESTATE (Note 21)	<u>(4,882,654)</u>	<u>900,579</u>	<u>29,860</u>	<u>202,399</u>	<u>1,524,223</u>	<u>(2,225,593)</u>
FUND BALANCE (DEFICIT) AT END OF YEAR	<u>\$ (4,569,647)</u>	<u>\$ 528,208</u>	<u>\$ 1,179,376</u>	<u>\$ 348,473</u>	<u>\$ 1,244,149</u>	<u>\$ (1,269,441)</u>

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

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**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

Net change in fund balances - total governmental funds \$ 956,152

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, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. 3,712,223
- Depreciation expense on capital assets is reported in the statement of activities, but they do not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditure in governmental funds. (1,098,294)
- Governmental funds report issuance of long-term debt as other financial sources because provides current financial resources. (3,320,000)
- Governmental funds report principal payments on long-term obligations as expenditures, whereas the principal payments reduces the long-term obligations in the statement of activities. 745,068
- Some expenses reported in the statement of activities do not require the use of current financial resources; therefore, are not reported as expenditures in governmental funds. (140,655)

Changes in net assets of governmental activities \$ 854,494

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

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
STATEMENT OF REVENUES AND EXPENDITURES, BUDGET AND ACTUAL - GENERAL AND DEBT SERVICE FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008

	General Fund				Debt Service Fund			
	Budgeted Amounts		Actual	Variance with Final Budget- Positive (Negative)	Budgeted Amounts		Actual	Variance with Final Budget- Positive (Negative)
	Original	Final			Original	Final		
REVENUES								
Property taxes	\$ 990,012	\$ 990,012	\$ 1,325,741	\$ 335,729	\$ 228,268	\$ 228,268	\$ 253,031	\$ 24,763
Municipal license taxes	820,500	820,500	790,212	(30,288)				
Sales and use taxes	694,548	694,548	199,000					
Licenses and permits	905,616	905,616	389,386	(516,230)				
Charges for services	571,572	571,572	465,760	(105,812)				
Intergovernmental revenues:								
State contributions	6,363,312	6,363,312	5,300,781	(1,062,531)				
Interest, fines, and penalties	41,004	41,004	13,979	(27,025)				
Other revenues	950,004	950,004	110,559	(839,445)				
Total revenues	<u>11,336,568</u>	<u>11,336,568</u>	<u>8,595,418</u>	<u>(2,741,150)</u>	<u>228,268</u>	<u>228,268</u>	<u>253,031</u>	<u>24,763</u>
EXPENDITURES								
Current:								
General government	5,125,932	5,361,954	4,835,773	526,181				
Public safety	1,143,852	916,290	813,000	103,290				
Public works	3,675,276	3,608,059	3,409,596	198,463				
Recreation	389,232	379,616	338,757	40,859				
Health and welfare	1,002,276	934,249	860,912	73,337				
Transfers to other funds		136,400	136,400	-	228,268	228,268	1,016,382	(788,114)
Total expenditures	<u>11,336,568</u>	<u>11,336,568</u>	<u>10,394,438</u>	<u>942,130</u>	<u>228,268</u>	<u>228,268</u>	<u>1,016,382</u>	<u>(788,114)</u>
Excess of expenditures over revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (1,799,020)</u>	<u>\$ (1,799,020)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (763,351)</u>	<u>\$ (763,351)</u>

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

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

1. ORGANIZATION

The Municipality of Ciales, Puerto Rico (Municipality) was founded in 1815. The Municipality is a political legal entity with full legislative and administrative faculties in every affair of the municipal character, with perpetual succession existence and legal personality, separate and independent from the central government of the Commonwealth of Puerto Rico. The Municipality provides a full range of services including health, public works, environmental control, education, public safety, public housing and community development, culture and recreation as well as many other general and administrative services.

The Municipal Government comprises the executive and legislative branches. The executive power is exercised by the Mayor and the legislative by the Municipal Assembly, which has 12 members. The members of these branches are elected every four years in the Puerto Rico general elections.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying financial statements of the Municipality have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applicable to governmental entities. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

The financial information of the Municipality is presented in this report as follows:

- Management's Discussion and Analysis - Introduces the basic financial statements and provides an analytical overview of the Municipality's financial activities.
- Government - Wide Financial Statements - The reporting model includes financial statements prepared using full accrual of accounting for all of the government's activities. This approach includes not just current assets and liabilities, but also capital assets and long-term liabilities (such as buildings and infrastructure, including bridges and roads, and general obligation debt).

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008

- **Statement of Net Assets** - The statement of net assets is designed to display the financial position of the Municipality, including capital assets and infrastructure. The net assets of the Municipality will be broken down into three categories; invested in capital assets, net of related debt; restricted; and unrestricted.
- **Statement of Program Activities** - The government - wide statement of activities report expenses and revenues in a format that focuses on the cost of each of the government's functions. The expense of individual functions is compared to the revenues generated directly by the function.
- **Budgetary comparison schedules** - Demonstrating compliance with the adopted budget is an important component of a government's accountability to the public. Under the reporting model, the Municipality will continue to provide budgetary comparison information in their financial statements. An important change, however, is a requirement to add the government's original budget to the current comparison of final budget and actual results.

The following is a summary of the more significant policies.

a. Reporting Entity

In evaluating how to define the Municipality for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the provisions of Statement No. 14, "The Financial Reporting Entity," as amended by GASB Statement No. 39, "Determining Whether Certain Organizations are Component Units - an amendment of GASB Statement No. 14".

The basic, but not the only criterion for including a potential component unit within the reporting entity is if elected officials of a primary government appoints a voting majority of the entity's governing body, and if either one of the following conditions exist: the primary government can impose its will on the other entity or the potential exist for the other entity to (1) provide specific financial benefits to or (2) impose specific financial burdens on the primary government. A second criterion used in evaluating potential component units is if the nature and significance of the relationship between the entity and a primary government are such that to exclude the entity from the financial reporting entity would render the financial statements misleading or incomplete.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

GASB Statement No. 39 provided additional guidance to determine whether certain organization for which the primary government is not financially accountable should be reported as components units, A legally separate, tax-exempt organization should be discretely presented as a component unit if all of the following criteria are met: (a) the economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents; (b) the primary government, or its component units, is entitled to, or has the ability to otherwise access, a majority of the economic resources received or held by the separate organization, and; (c) the economic resources received or held by an individual organization that the specific primary government, or its component units, is entitled to, or has the ability to otherwise access, are significant to the primary government. GAAP details two methods of presentation: blending the financial data of the component units' balances and transactions in a manner similar to the presentation of the Municipality's balances and transactions or discrete presentation of the component units' financial data in columns separate from the Municipality's balances and transactions.

The Colinas de Jaguas Project is included in the basic financial statements as a discretely component unit because of the nature of the services they provide and the Municipality's ability to impose its will.

Colinas de Jaguas Project is a 54-unit multi-family housing project owned by the Municipality as authorized transfer from the Special Trustee for the Liquidation of the Accounts of the Puerto Rico Urban Renewal and Housing Corporation. The Project is operated under Section 515 of USDA, Rural Development (USDA-RD) and regulated by the U. S. Department of Housing and Urban Development (HUD) with respect to rental charges and operating methods. The project is also subject to Section 8 Housing Assistance Payments agreements with HUD, and a significant portion of the Project's rental income is received from HUD. Also, the Project is financed by a Mortgage of Section 515 Direct Loan.

b. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net assets and the statement of changes in net assets) report information on all the activities of the Municipality. For the most part, the effect of interfund activity has been

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

removed from these statements. Governmental activities are supported mainly by taxes and intergovernmental revenues.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) 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.

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.

c. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus and the accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a 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.

Governmental fund financial statements are reported 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. 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 the current period or soon enough thereafter. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008

However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only 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.

The Municipality reports the following major governmental funds:

1) 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.

2) Bonds Issuance

This fund is used to account the resources from the bonds issuance by the Legislature. The primary objectives of these assignments is the development of construction projects.

3) Bond \$1.7 Million

This fund is used to account the resources from the bond \$1.7 million of the Government Development Bank for Puerto Rico. The objective of these funds is to develop construction projects.

4) Debt Service Fund

This fund is used to account for the resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008

Private-section 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.

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, licenses, permits, 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.

d. Cash and Cash with Fiscal Agent

The Municipality's Finance Director is responsible for investing available resources. The Municipality is restricted by law to invest only in savings accounts 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).

Cash with fiscal agent in the other governmental fund consists of unused proceeds from appropriations from the Legislature of Puerto Rico, for the payment of current liabilities, and 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 Commonwealth of Puerto Rico and restricted for the payment of the Municipality's debt service, as established by law.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

e. 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). All other outstanding balances between funds are reported as due to/from other funds.

f. 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 applicable governmental or component units columns 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. Depreciation in capital assets is calculated on the straight-line basis over the following estimated useful lives:

	<u>Useful Life</u>
Infrastructure	25-50 years
Buildings and building improvements	20-50 years
Furniture and fixtures	5-10 years
Vehicles and equipments	5-20 years

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COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008

g. Reservation of Fund Balance

Reservations of fund balance represent portions of fund balance that are legally segregated for a specific future use or are not appropriated for expenditure. The Municipality has the following reservations of fund balance:

1) Encumbrances

Represent future expenditures under purchase orders, contracts and other commitments. These committed amounts generally will become liabilities in future periods as the goods or services are received.

2) Debt Service Fund

Represents net assets available to finance future debt service payments.

3) Capital Projects Fund

Represents the reservation of amounts to be used for future expenditures for capital projects under contracts and other commitments. The committed amounts generally will become liabilities in future periods as the projects are completed.

h. 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, 2008 amounted to approximately \$181,307. The current insurance policies have not been cancelled or terminated. The CRIM also deducted approximately \$182,297 for workers' compensation insurance covering all municipal employees.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

i. Compensated Absences

Employees are entitled to 30 days vacations leave and 18 days sick leave per year. Sick leave is recorded as an expenditure in the year paid. Employees are entitled to payment of unused sick leave upon retirement if have been employed for at least 10 years in the municipal government. On July 1997, state Law 152 supra amended the Article 12.016, Section b (2) of the Municipal Law, authorizing the Municipality to pay any excess of vacations and sick leave accumulated over the maximum previously permitted by law. Calculations must be made until December 31 of every year. Excess of sick leave must be paid until March 31 next every natural year. Excess of vacations can be paid after July 1 of every fiscal year.

j. 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. The most significant estimates consist of the contribution received from the Puerto Rico Electric Power Authority and the Municipal Revenue Collection Center caused by the delay of the notification of the actual revenues and expenditures to the presented in the financial statements of the agencies mentioned above.

k. Future Adoption of Accounting Pronouncements

The Governmental Accounting Standards Board (GASB) has issued the following statements that the Municipality has not yet adopted:

<u>Statement Number</u>	<u>Statement Name</u>	<u>Adoption Required in Fiscal Year</u>
51	Accounting and Financial Reporting for Intangible Assets	2009-10

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

<u>Statement Number</u>	<u>Statement Name</u>	<u>Adoption Required in Fiscal Year</u>
52	Land and Other Real Estate Held as Investments by Endocuments	2008-09
53	Accounting and Financial Reporting for Derivative Instruments	2009-10

The impact of these statements on the Municipality's financial statements has not yet been determined.

3. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

a. Budgetary Control

The Municipality's annual budget is prepared on the budgetary basis of accounting, which is not in accordance with GAAP, and represents departmental appropriations recommended by the Mayor and approved by the Municipal Legislature prior to the beginning of the fiscal year. Amendments to the budget require the approval of the Municipal Legislature. Transfers of appropriations within the budget, known as Mayor's Resolutions, do not require the approval of the Municipal Legislature.

The Municipality prepares its annual budget including the operations of the general and the debt service funds.

Revenues and Expenditures - Budget and Actual (Budgetary Basis), accordingly, includes only the operations of the general and the debt service funds. The amounts budgeted under the Special Revenue Fund were excluded since they are received and expended over a period of time which generally exceeds the current year.

For budgetary purposes, encumbrance accounting is used. The encumbrances (i.e., purchase orders, contracts) are considered expenditures when incurred. For GAAP reporting purposes, encumbrances outstanding at year-end are reported

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

as reservations of fund balances and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

The unencumbered balance of any appropriation at the end of the fiscal year will lapse at the end of such fiscal year. Other appropriations, mainly capital project appropriations, are continuing accounts for which the Municipal Legislature has authorized that an unspent balance from the prior year be carried forward and made available for current spending.

The annual budget is presented in the Combined Statement of Revenues and Expenditures - Budget and Actual (Budgetary Basis) is the budget ordinance to June 30, 2008 representing the original budget.

b. Budget/GAAP Reconciliation

The following schedule presents comparisons of the legally adopted budget with actual data on a budget basis. Because accounting principles applied for purposes of developing data on a budget basis differ significantly from those used to present financial statements in conformity with GAAP, a reconciliation of entity and timing differences in the excess of revenues and other financing sources over expenditures and other financing use for the year ended June 30, 2008 is presented below for the general and debt service funds:

	<u>Debt Service</u>
Excess of expenditures over revenues - budgetary basis	(\$ 763,351)
Entity differences:	
Non-budgeted transfers	<u>909,425</u>
Excess of expenditures over revenues - GAAP basis	<u>\$ 146,074</u>

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

Explanation of differences:

Sources/inflows of resources	<u>General Fund</u>
Actual amounts (budgetary basis) "available appropriation" from the budgetary comparison schedule	\$ 8,595,418
Differences - budget to GAAP:	
Transfers from other funds are inflows of budgetary resources but are not revenues for financial reporting purposes	(13,417)
Transfers from other funds are inflow of budgetary sources but are not revenues for financial reporting purpose	<u>1,572,963</u>
 Total revenues as reported on the statement of revenues, expenditures, and changes in fund balances	 <u>\$10,154,964</u>
 Uses/outflows of resources	
Actual amounts (budgetary basis) "total charges to appropriations" from the budgetary comparison schedule	\$10,394,559
Differences-budget to GAAP:	
Prior year encumbrances recorded as current year expenditures for GAAP basis	277,873
Current year encumbrances recorded as expenditures for budgetary purposes	(224,916)
Transfers to other funds are out flow of budgetary uses but are not expenditures for financial reporting purpose	<u>353,732</u>
 Total expenditures as reported on the statement of revenues, expenditures, and changes in fund balances	 <u>\$10,801,127</u>

c. Legal Compliance

The legal level of budgetary control is at the individual department level for general fund expenditures, and principal and interest due for the debt service fund.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

4. RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The governmental fund balance sheet includes a reconciliation between fund balance-governmental funds and net assets of governmental activities as reported in the government-wide statement of net assets. One element of that reconciliation explains that some liabilities, including bonds payable, are not due and payable in the current period and therefore are not reported in the funds. The details of the approximately \$7.8 million difference are as follows:

Bonds payable	\$2,646,000
Compensated absences	1,155,949
Notes payable	3,047,711
Obligation under capital leases	92,626
Other long-term liabilities	<u>860,278</u>
Net adjustment to reduce fund balance governmental funds to arrive at net assets of governmental activities	<u>\$7,802,564</u>

5. DEPOSITS

Custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to it. Under Puerto Rico statutes, public funds deposited in commercial banks must be fully collateralized for the amount deposited in excess of federal depository insurance. All securities pledged as collateral are held by the Secretary of the Treasury of Puerto Rico. In addition, the Municipality maintains deposits with the Government Development Bank for Puerto Rico (GDB).

The deposits at GDB of approximately \$1,469,228 that are restricted principally for capital projects, and the \$350,360 in the debt service fund are unsecured and uncollateralized, as no collateral is required to be carried by governmental banks.

The Municipality maintains its investments in one (1) bank located at Puerto Rico. All kind of deposit is guaranteed by the Federal Deposit Insurance Corporation (FDIC) up to \$100,000.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

The excess is covered by collateral provided by banks and held by the Treasury Department of the Commonwealth of Puerto Rico pursuant to applicable laws and regulations.

6. PROPERTY TAXES

The Municipal Revenues Collection Center (CRIM) of the Commonwealth of Puerto Rico is responsible by law for the assessment, levy and collection of all real and personal property taxes. The tax on personal property is self assessed by the taxpayer. The assessment is made in a return which must be filed with the CRIM by May 15 of each year. The tax on real property is assessed by the CRIM. The assessment is made as of January 1 of each year and is based on estimated current values of the property as of year 1957. The tax on personal property must be paid in full together with the return on or before May 15. The tax on real property is due in two equal installments in July 1 and January 1, following the assessment date.

The rates are 8.83% for real property and 6.83% for personal property. The composition is as follows:

	<u>Real</u>	<u>Personal</u>
Basic property	6.00%	4.00%
Additional special property - state	1.03%	1.03%
Additional special property - municipal	2.00%	2.00%
Discounts made by state to tax payer	< .20% >	< .20% >
	<u>8.83%</u>	<u>6.83%</u>

The Municipality's basic property tax rate represents the portion which is appropriated for general purposes and accounted for in the general fund.

The "Additional special property tax - municipal" is restricted for debt service and retained by GDB for such purposes and it is recorded as revenue in the Debt Service Fund when collected by the CRIM and reported to the Municipality.

The "Additional special property tax - state" is collected by the CRIM for the payment of principal and interest of general obligation bonds and certain other obligations issued by the state government.

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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 exempted amounts, the Department of Treasury assumes payment of the basic tax to the Municipality, except for property assessed at less than \$3,500, for which no payment is made. Revenue related to the basic tax on exempt property is recorded in the General Fund when payments are received from the CRIM.

Complete exemption from personal property taxes up to an assessment of \$50,000 is granted to merchants with an annual volume of net sales less than \$150,000.

Prior to 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, whereby 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 ends. 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 payable to the CRIM is recorded at June 30. During July 2002, the Municipality entered into a repayment agreement with GDB and CRIM to repay the excess of property taxes advances from fiscal years up to 2001 for approximately \$1.1 million. This amount will be repaid through advances from property taxes (refer to Note 15).

Currently, the Municipality has received the preliminary settlement from CRIM related to fiscal year 2007-08, but not the final settlement as the six months period after fiscal year ends, provided by law to CRIM to issue this, has not yet expired. Management believes, based in part on the experience from prior years, that when received, the final settlement from CRIM will not show a significant difference from the preliminary settlement and that such difference, if any, will not have a material effect on the financial condition of the Municipality.

Based on the preliminary settlement already received, during the year ended June 30, 2008, the amount received by CRIM, less than the amount collected from taxpayers and charges by CRIM received by the Municipality for the same period by

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approximately \$530,335 of which \$335,734 corresponds to the year ended June 30, 2008, \$194,601 corresponding to the municipal subsidy from the months of October 2007 through March 2008. Such amount is presented as intergovernmental receivable in the general fund in the basic financial statements (refer to Note 9).

7. MUNICIPAL LICENSE TAX

Municipal License Tax receivables are recorded in the fiscal year in which payment is due and, accordingly, represent taxes which are due and uncollected at June 30, 2008. The annual Municipal License Tax is determined based on the gross income of all commerce and industrial organizations who have operations in the Municipality of Ciales, and are not totally or partially exempt under the Industrial Incentive Law of Puerto Rico.

An annual return of business volume should be filed on or before April 15 of each year and payable in two equal installments due on July 1 and January 1. A discount of 5% is allowed when full payment is made on or before April 15. The rates of municipal license in the Municipality of Ciales, are as follows:

Savings and loans associations	= 1.00%
Financial institutions	= 1.50%
Other organizations:	= .50%

The amounts collected in advance are recorded as deferred revenues in the General Fund. The Municipality invoiced and collected in advance during the current year approximately \$584,025, corresponding to the next fiscal year municipal license.

8. SALES AND USE TAXES

On July 29, 2007 the Commonwealth Legislature approved Act No. 80 ("Act 80") which imposed to all the Municipalities of Puerto Rico a uniform municipal sales and use tax of 1.5%. Effective August 1, 2007 1% of the 1.5% will be collected by the Municipalities and the remaining .5% of the 1.5% will be collected by the Puerto Rico Department of Treasury.

Act 80 also provides for restrictions on the use of the resources (including the .5 of 1.5% collected by the Commonwealth Government) to be invested in solid waste and recycling programs, capital improvements and health and public safety costs. Amount

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collected by the Commonwealth Government will be deposited in accounts or special funds in the Governmental Development Bank of Puerto Rico ("GDB"), subject to restrictions imposed and distributed as follows:

- a. .2% of the .5% will be deposited in a "Municipal Development Fund" to finance costs as restricted by the Act,
- b. .2% of the .5% will be deposited in a "Municipal Redemption Fund" to finance loans to municipalities subject to restrictions imposed by the Act and,
- c. .1% of the .5% will be deposited in a "Municipal Improvement Fund" to finance capital improvement projects; these funds will be distributed based on legislation from the Commonwealth's Legislature.

9. DUE FROM OTHER AGENCIES

Represents grants and contributions due from local and federal agencies:

Puerto Rico Electric Power of Authority	\$1,193,178
CRIM	530,335
Education Department	101,400
Labor Department	150,000
OCAM - SBGP Program	318,492
Education Department - Even Start Program	<u>58,351</u>
	<u>\$2,351,756</u>

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10. INTERFUND TRANSACTIONS

a. Due From/To Other Funds:

The due from and due to other fund balances as of June 30, 2008, are as follows:

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
Bonds Issuance Fund	General	\$ 682,748
General	Other Governmental Funds	169,990
Other Governmental Funds	General	<u>1,184,622</u>
		<u>\$2,037,360</u>

The balance of \$1,184,622 due from the general fund to the Other Governmental Funds represents amount due from prior years related to state contributions' grants.

Remaining transfers are used to use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

b. Interfund Transfers:

Interfund transfers for the year ended June 30, 2008 consisted of the following:

<u>Transfer In</u>	<u>Transfer Out</u>	<u>Amount</u>
Debt Service	General	\$664,247
General Fund	Debt Service	<u>13,417</u>
		<u>\$677,664</u>

The transfers are used to (1) move revenues from the fund that statute or budget revenues to collect them to the fund that statute or budget requires to expend them, (2) move receipts restricted to debt service from the fund collection the receipts to the debt service fund as debt service payments become due, and (3)

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use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

11. CAPITAL ASSETS

Capital asset activity for the Municipality for the year ended June 30, 2008 was as follows:

<u>Primary Government</u>	<u>Balance July 1, 2007</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance June 30, 2008</u>
Governmental Activities:				
Capital assets, not being depreciated:				
Land	\$ 1,706,856	\$ -	\$ -	\$ 1,706,856
Construction in progress	679,323	1,726,361	94,277	2,311,407
Total capital assets, not being depreciated	<u>2,386,179</u>	<u>1,726,361</u>	<u>94,277</u>	<u>4,018,263</u>
Capital assets, being depreciated:				
Land improvements	3,513,886	518,521		4,032,407
Buildings and building improvements	4,829,199	206,905	-	5,036,104
Furniture and fixtures	475,612	133,311	-	608,923
Vehicles and equipment	2,385,360	140,321	-	2,525,681
Works of Art		75,000		75,000
Infrastructure	12,100,643	1,006,081	-	13,106,724
Total capital assets, being depreciated	<u>23,304,700</u>	<u>2,080,139</u>	<u>-</u>	<u>25,384,839</u>
Less accumulated depreciation for:				
Land improvements	708,258	252,395		960,653
Buildings and building improvements	1,723,616	171,133	-	1,894,749
Furnitures and fixtures	317,359	82,410	-	399,769
Vehicles and equipment	1,951,004	249,688	-	2,200,692
Works of Art		15,000		15,000
Infrastructure	3,116,319	327,668	-	3,443,987
Total accumulated depreciation	<u>7,816,556</u>	<u>1,098,294</u>	<u>-</u>	<u>8,914,850</u>
Total capital assets, being depreciated, net	<u>15,488,144</u>	<u>981,845</u>	<u>-</u>	<u>16,469,989</u>
Governmental activities capital assets, net	<u>\$ 17,874,323</u>	<u>\$ 2,708,206</u>	<u>\$ 94,277</u>	<u>\$ 20,488,252</u>

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

General government	\$ 605,308
Public safety	65,217
Public housing and welfare	31,111
Culture and education	225,040
Public works	129,907
Education	<u>41,711</u>
 Total depreciation expense - governmental activities	 <u>\$1,098,294</u>

Capital asset activity for Colinas de Jaguas Project, a discretely presented component unit, for the year ended June 30, 2008 was as follows:

<u>Component Unit- Colinas de Jaguas Project</u>	<u>Balance July 1, 2007</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance June 30, 2008</u>
Capital assets, not being depreciated:				
Land	\$ 154,124	\$ -	\$ -	\$ 154,124
Total capital assets, not being depreciated	<u>154,124</u>	<u>-</u>	<u>-</u>	<u>154,124</u>
Capital assets, being depreciated:				
Buildings, equipment, and furniture	2,267,665	9,019		2,276,684
Total capital assets, being depreciated	<u>2,267,665</u>	<u>9,019</u>	<u>-</u>	<u>2,276,684</u>
Less accumulated depreciation for:				
Buildings, equipment, and furniture	1,789,688	85,234		1,874,922
Total accumulated depreciation	<u>1,789,688</u>	<u>85,234</u>	<u>-</u>	<u>1,874,922</u>
Total capital assets, being depreciated, net	<u>477,977</u>	<u>9,019</u>	<u>-</u>	<u>401,762</u>
Colinas de Jaguas Project capital assets, net	<u>\$ 632,101</u>	<u>\$ 9,019</u>	<u>\$ -</u>	<u>\$ 555,886</u>

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12. DUE TO OTHER AGENCIES

Due to other agencies at June 30, 2008 are as follows:

Puerto Rico Retirement System Administration	\$ 493,931
Puerto Rico Electric Power Authority	1,193,178
Puerto Rico Water and Sewer Authority	149,015
Internal Revenue Service	1,105,699
Treasury Department	772,813
Puerto Rico General Services Administration	12,052
Insurance State Fund	<u>39,299</u>
 Total	 <u><u>\$3,765,987</u></u>

13. DEFERRED REVENUES

a. Municipal License Tax

The deferred revenues of approximately \$584,025 in the general fund related to municipal license tax collected in fiscal year 2007-08 that will be earned in fiscal year 2008-09.

b. Federal Government

The deferred revenues presented as federal government represents the portion of federal grants received for which qualifying expenditures have not been incurred. The amounts were determined taking into consideration the specific years of the grant.

14. INTERGOVERNMENTAL REVENUES

Intergovernmental revenues in the general and capital projects funds consist mainly of collections from the Commonwealth of Puerto Rico and the CRIM, and payments in lieu of taxes from the Puerto Rico Electric Power Authority.

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15. LONG-TERM DEBTS

Bonds and other long-term liabilities outstanding at June 30, 2008 are as follows:

Bonds

\$181,000 series of 1992, payable in annual installments of \$14,000 to \$13,000 until January 1, 2017, interest at 5%.	\$ 94,000
\$400,000 series of 1996, payable in annual installments of \$10,000 to \$40,000 until July 1, 2016, interest from 5% to 8%.	225,000
\$80,000 series of 2003, payable in annual installments of \$10,000 to \$15,000 until July 1, 2009, interest from 4.17% to 5%.	15,000
\$250,000 series of 2004, payable in annual installments of \$5,000 to \$25,000 until July 1, 2028, interest from 5% to 7%.	225,000
\$282,000 series of 2007, payable in annual installments of \$35,000 to \$45,000 until January 1, 2014, interest at 4.25%.	247,000
\$300,000 series of 2007, payable in annual installments of \$35,000 to \$55,000 until July 1, 2013, interest from 6.6% to 7.5%.	230,000
\$1,610,000 series of 2008, payable in annual installments of \$70,000 to \$175,000 until July 1, 2022, interest from 6% to 7.5%.	<u>1,610,000</u>
Total bonds payable	<u>\$2,646,000</u>

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Notes Payable

Note payable of \$1,174,924 represents a repayment agreement with GDB and CRIM to repay the excess of property taxes advances from fiscal years up to 2001. The CRIM will retain the principal and interest from the property taxes advances. The amounts retained by CRIM will be remitted to GDB on July 1 of each year through 2032. The repayment agreement is payable in annual aggregate principal installments of \$15,373 plus interest rate of 6.1875%.	\$1,075,611
Note payable of \$340,000, series 2005, its payable in annual installments of \$25,000 to \$40,000 until July 2014, interest from 4.37% to 7.25%.	225,000
Note payable of \$49,600, series 2006, its payable in annual installments of \$6,100 to \$8,100 until January 1, 2013, interest at 4.5%.	37,100
Note payable of \$500,000, series 2008, its payable in annual installments of \$100,000 until July 1, 2013, interest at 5%.	500,000
Note payable of \$1,210,000, series 2008, its payable in annual installments of \$10,000 to \$140,000 until July 1, 2021, interest at 5%.	<u>1,210,000</u>
Total notes payable	<u>\$3,047,711</u>

Other Long-Term Liabilities

Due to the Treasury Department, payable in monthly installments of \$18,729 until 2011.	\$ 37,458
Due to Municipality of Toa Baja, payable in monthly installments of \$3,537 until December 2010.	63,664
Due to Puerto Rico Water and Sewer Authority, payable in monthly installments of \$3,085 until December 2008.	18,510

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Due to CRIM corresponding to LIMS System, payable in monthly installments of \$1,411 until November 2011, interest at 5.95%.	\$ 52,780
Due to CRIM corresponding to Law 46, payable in monthly installments of \$1,814 until March 2032, interest at 6.22%.	209,576
Due to Treasury Department, payable in monthly installments of \$835 to \$1,304 until March 2011, and a final payment of \$439,948.	<u>478,290</u>
Total other long-term liabilities	<u>\$860,278</u>

Obligations under Capital Leases

The Municipality of Ciales is obligated under capital lease for equipment as follow: Lease payable to AA Public Finance Co., Inc., payable in semiannual installments of \$19,225.05 (including interest at 7.5%) collateralized by a garage.	<u>\$92,626</u>
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The minimum future lease payments under capital leases are as follows:

<u>Period Ending June 30,</u>	<u>Amount</u>
2009	\$49,326
2010	35,520
2011	<u>7,780</u>
	<u>\$92,626</u>

Component Unit

The original mortgage, in the amount of \$1,945,000 were payable to Rural Housing Service (RHS) and were collateralized by the apartment complex. The required monthly principal and interest payments totaled \$11,053. On November 14, 1997, the mortgages on the property were transferred from the Puerto Rico Urban and Housing

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Corporation to the new owner, the Municipality of Ciales. Rural Housing Service, the mortgagee, recalculated and adjusted the amortization of the mortgages at the time, resulting in a smaller monthly payment. The revised payments of the three mortgages commenced on December 1, 1997.

Under agreements with RHS, the project is required to make monthly escrow deposits for insurance and replacement of Project assets, and is subject to restrictions as to operating policies, rental charges and operating expenditures.

The liability of the Project under the mortgages is limited to the underlying value of the real estate, plus other amounts deposited with the lender.

The mortgages are insured by RHS, collateralized by the Project, and consist of the following:

Interest at 6.5%, payable in monthly installments of \$8,159, including interest, through the due date, December 2031.	\$1,225,279
Interest at 8.75%, payable in monthly installments of \$2,351, including interest, through the due date, December 2031.	288,603
Interest at 11.25%, payable in monthly installments of \$543, including interest, through the due date, December 2032.	<u>55,453</u>
	1,569,335
Less current maturities	<u>20,349</u>
	<u>\$1,548,986</u>

The interest rates shown above are net of 2% interest rental credit.

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Aggregate maturities of the mortgage payable for each of the next five years following June 30, 2008 and thereafter, are as follows:

<u>Year Ended June 30,</u>	<u>Amount</u>
2009	\$ 20,349
2010	22,236
2011	24,301
2012	26,559
2013 and thereafter	<u>1,475,890</u>
	<u>\$1,569,335</u>

The annual debt service requirements for the bonds payable and notes payable at June 30, 2008, are as follows:

	<u>Bonds</u>		<u>Notes Payable</u>	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
2009	\$ 195,000	\$ 162,655	\$ 172,176	\$ 198,799
2010	193,000	166,425	188,757	200,115
2011	204,000	153,602	200,418	186,526
2012	217,000	141,067	217,164	172,103
2013	239,000	133,307	224,101	156,431
2014-2018	818,000	438,412	731,662	583,460
2019-2023	695,000	160,577	722,465	280,461
2024-2028	85,000	16,500	288,145	144,953
2029-2033			<u>302,823</u>	<u>43,656</u>
	<u>\$ 2,646,000</u>	<u>\$1,372,545</u>	<u>\$3,047,711</u>	<u>\$1,966,504</u>

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Long-term liability activity for the year ended June 30, 2008 was as follows:

<u>Primary Government</u>	<u>Beginning Balance</u>	<u>Additions</u>	<u>Payments</u>	<u>Ending Balance</u>	<u>Due within One Year</u>
Governmental Activities:					
Bonds payable	\$ 1,154,000	\$ 1,610,000	\$ 118,000	\$ 2,646,000	\$ 195,000
Notes payable	1,533,284	1,710,000	195,573	3,047,711	172,176
Total long-term debt	<u>2,687,284</u>	<u>3,320,000</u>	<u>313,573</u>	<u>5,693,711</u>	<u>367,176</u>
Other long-term liabilities:					
Puerto Rico Health Insurance Administration	343,800		343,800	-	
Due to Puerto Rico Treasury Department	56,187		18,729	37,458	18,729
A. A. Public Finance Co.	92,626			92,626	
P. R. Water and Sewer Authority Municipality of Toa Baja	55,529		37,019	18,510	18,510
Due to Treasury Department	63,664			63,664	63,664
Loan \$500,000	488,310		10,020	478,290	10,958
LIMS System	65,975		13,195	52,780	13,195
CRIM Law 46	216,318	1,990	8,732	209,576	8,732
Compensated absences	1,017,284	138,665		1,155,949	125,000
Total other long-term liabilities	<u>2,399,693</u>	<u>140,655</u>	<u>431,495</u>	<u>2,108,853</u>	<u>258,788</u>
Total noncurrent liabilities, governmental activities	<u>\$ 5,086,977</u>	<u>\$ 3,460,655</u>	<u>\$ 745,068</u>	<u>\$ 7,802,564</u>	<u>\$ 625,964</u>
Component Unit:					
Colinas de Jaguas Project mortgage payable	<u>\$ 1,587,959</u>	<u>\$ -</u>	<u>\$ 18,624</u>	<u>\$ 1,569,335</u>	<u>\$ 20,349</u>

16. RETIREMENT PLAN

a. Plan Description

The Employee's Retirement System of the Government of Puerto Rico and its Instrumentalities (ERS) is the administrator of a cost-sharing multiple-employer retirement system established by the Commonwealth of Puerto Rico. The System was created under the ACT 447, approved on May 15, 1951, as amended, and became effective on January 1, 1952.

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ERS covers all regular employees of the Commonwealth of Puerto Rico and its instrumentalities and of certain municipalities and components units not covered by their own retirements systems.

Participation is mandatory except for members of the Legislature, Government Secretaries, Heads for Agencies and Public Instrumentalities, Assistants to the Governor, the Comptroller of Puerto Rico, Gubernatorial Board and Committee appointees and Experimental Service Station employees.

ERS provides retirement, death and disability benefits. Disability retirement benefits are available to members for occupational and non-occupational disabilities. Retirement benefits depend upon age at retirement and number of years of credited service. Benefits vest after ten years of plan participation.

Members who have attained an age of at least fifty-five (55) years and have completed at least twenty-five (25) years of creditable service or members who have attained an age of at least fifty-eight (58) years and have completed at least ten (10) years of creditable service, are entitled to an annual benefit, payable monthly for life.

The amounts of the annuity will be one and one-half percent of the average compensation multiplied by the number of years of creditable service up to twenty years, plus 2% of the average compensation multiplied by the number of years of creditable service in excess of twenty years. In no case the annuity will be less than \$200 per month.

Participants who have completed at least thirty (30) years of creditable service are entitled to receive the Merit Annuity. Participants who have not attained fifty-five (55) years of age will receive 65% of the average compensation or if they have attained fifty-five (55) years of age will receive 75% of the average compensation. Disability retirement benefits are available to members for occupational and non-occupational disability. However, for non-occupational disability a member must have at least ten (10) years of service.

No benefit is payable if the participant receives a refund of his accumulated contributions.

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On September 24, 1999, an amendment to Act No. 447 of May 15, 1951, which created ERS, was enacted with the purpose of establishing a new pension program (System 2000). Employees participating in the current system as of December 31, 1999, may elect to stay in the defined benefit plan or transfer to the new program. Persons joining the Municipality on or after January 2000, will only be allowed to become members of System 2000. System 2000 will reduce the retirement age from 65 years to 60 for those employees who joined the current plan on or after April 1, 1990.

System 2000 is a hybrid defined contribution plan, also known as a cash balance plan. Under this new plan, there will be a pool of pension assets, which will be invested by ERS, together with those of the current defined benefit plan. Benefits at retirement age will not be guaranteed by the Commonwealth of Puerto Rico. The annuity will be based on a formula which assumes that each year the employee's contribution (with a minimum of 8.275% of the employee's salary upon to a maximum of 10%) will be invested in an account which will either: (1) earn a fixed rate based on the two-year Constant Maturity Treasury Note or, (2) earn rate equal to 75% of the return of the ERS's investment portfolio (net of management fees), or (3) earn a combination of both alternatives. Participants will receive periodic account statements similar to those of defined contribution plans showing their accrued balances. Disability pensions will not be granted under System 2000. The employer's contribution (9.275% of the employee's salary) will be used to fund the current plan.

b. Contribution Requirements

Commonwealth legislation requires employees to contribute 5.775% of gross salary up to \$6,600 plus 8.275% of gross salary in excess of \$6,600. The Municipality's contributions are 9.275% of gross salary. Contributions' requirements are established by law. The actuarially determined contribution requirement and contributions actually made for the year ended June 30, 2008 was approximately \$208,484. The Municipality's payroll for employees covered by ERS was approximately \$2.2 million. The Municipality total payroll for all employees was approximately \$5.2 million.

Additional information on the ERS is provided in its financial statements for the year ended June 30, 2008, a copy of which can be obtained from the ERS, Minillas Station, PO Box 42003, San Juan, PR 00940.

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17. RISK MANAGEMENT

The Risk Management Division of the Municipality's Legal Department is responsible of assuring that the Municipality's property is properly insured. Annually, the Risk Management Division compiles the information of all property owned and its respective market value. After evaluating this information, the Risk Management Division submits the data regarding the Municipality's properties to the Area of Public Insurance at the Department of the Treasury of the Commonwealth of Puerto Rico who is responsible for purchasing all property and casualty insurance policies of all municipalities.

18. LEASES

Operating Leases

Leasing Arrangement with the Municipality as Lessor:

- a. The Municipality leases spaces in its Market Place under operating lease agreements with terms ranging from one to five years.
- b. Total income from leases during the year ended June 30, 2008 was approximately \$45,418.
- c. The Municipality retains title to its leased property. The lessee pays taxes, licenses, insurance, and maintenance costs of the leased assets.

Leasing arrangements with the Municipality as lessee:

The Municipality is obligated under noncancellable operational leases, with periods not longer than one year.

19. CONTINGENCIES

The Municipality receives Federal Grants for specific purposes that are subject to review and audit by the grantor agencies. Although such audits could generate expenditure disallowances under the terms of the grants, management believes that any required reimbursements would not be material.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

20. COMMITMENTS

The Municipality of Ciales had several outstanding or planned construction projects as of June 30, 2008. These projects are evidenced by contractual commitments with contractors. The construction projects are commitments of the Bonds Issuance Fund that amounted to approximately \$1,262,400.

21. RESTATEMENTS

The beginning fund balance of General Fund and the beginning net assets of the Statement of Net Assets has been restated to correct and underestimate of accounts payable by \$406,913.

	<u>General Fund</u>	<u>Statement of Net Assets</u>
Beginning balance of the year as previously reported	\$ (4,475,741)	\$ 10,968,666
Understatement of accounts payable	<u>(406,913)</u>	<u>(406,913)</u>
Beginning balance of the year as restated	<u>\$ (4,882,654)</u>	<u>\$ 10,561,753</u>

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

<u>Federal Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Federal Disbursements/ Expenditures</u>
U.S. Department of Housing and Urban Development (HUD)		
Section 8 Housing Choice Vouchers	14.871	\$ 274,677
Pass-through Commissioner Office of Municipal Affairs - Community Development		
State Block Grant Program - SBGP	14.228	1,363,076
Subtotal U.S. Department of HUD		<u>1,637,753</u>
U.S. Department of Agriculture		
Pass-through Governor's Office of Child Services and Community Development		
Child and Adult Care Food Program	10.558	41,930
Pass-through Governmental Bank		
Rural Development	10.411	96,215
Subtotal U.S. Department of Agriculture		<u>138,145</u>
U.S. Federal Emergency Management Agency Public Assistance Grants (FEMA)		
Disaster Assistance	83.545	145,249
Subtotal FEMA		<u>145,249</u>
U.S. Department of Education (DE)		
Even Start-State Educational Agencies	84.213	307,888
Subtotal U.S. Department of DE		<u>307,888</u>
U.S. Department of Health and Human Services (HHS)		
Pass-through the Office of Administration for Children and Families		
Child Care and Development Block Grant	93.575	338,313
Subtotal U.S. Department of HHS		<u>338,313</u>
U.S. Department of Homeland Security		
Pass-through Governor's Office		
National Incident Management System (NIMS)	97.107	89,256
Subtotal U.S. Department of Homeland Security		<u>89,256</u>
TOTAL		<u>\$ 2,656,604</u>

See notes to Schedule of Expenditures of Federal Awards.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

1. SIGNIFICANT ACCOUNTING POLICIES

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the Municipality of Ciales and is presented on the modified accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements.

2. BASIS OF PRESENTATION

The expenditures of the schedule are included in the Municipality's basic financial statements in the accompanying Statement of Revenues, Expenditures and Changes in Fund Balances-Governmental Funds. The reconciliation of expenditures in the basic financial statements to the Schedule of Expenditures of Federal Awards is as follows:

	<u>Expenditures</u>
Expenditures as per basic financial statements:	
Federal expenditures included within other governmental funds	\$ <u>2,656,604</u>
Total expenditures per schedule of expenditures of federal awards	\$ <u>2,656,604</u>



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**INDEPENDENT AUDITORS' 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 Legislature
Municipality of Ciales
Ciales, Puerto Rico

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality of Ciales, as of and for the year ended June 30, 2008, which collectively comprise the Municipality of Ciales' basic financial statements, and have issued our report thereon dated December 15, 2008. 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 Ciales' internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Municipality of Ciales' internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Municipality of Ciales' internal control over financial reporting.

A control deficiency 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 misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects Municipality of Ciales' ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of Municipality of Ciales' financial statements that

is more than inconsequential will not be prevented or detected by Municipality of Ciales' internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by Municipality of Ciales' internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be 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.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Municipality of Ciales' 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 of 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 no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain immaterial instances of noncompliance that we reported to management of Municipality of Ciales in a separate letter dated December 15, 2008.

This report is intended solely for the information and use of the management, Commissioner Office of Municipal Affairs, and the 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.

San Juan, Puerto Rico
December 15, 2008

Ortiz, Rivera, Rivera & Co

The stamp 2386821 was affixed to the original of this report.





ORTIZ, RIVERA, RIVERA & CO.

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**INDEPENDENT AUDITOR'S 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 Legislature
Municipality of Ciales
Ciales, Puerto Rico

Compliance

We have audited the compliance of Municipality of Ciales 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, 2008. Municipality of Ciales' 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 Ciales' management. Our responsibility is to express an opinion on Municipality of Ciales' compliance based on our audit.

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 Ciales' 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 on Municipality of Ciales' compliance with those requirements.

In our opinion, the Municipality of Ciales complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal program for the year ended June 30, 2008. However, the results of our auditing procedures disclosed instances of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133 and which is described in the accompanying schedule of findings as questioned costs as item 08-1.

Internal Control over Compliance

The management of Municipality of Ciales 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 Ciales' internal control over compliance with 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, 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 the Municipality's internal control over compliance.

A *control deficiency* in an entity's internal control over compliance 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 noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

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

ORTIZ, RIVERA, RIVERA & CO.

CERTIFIED PUBLIC ACCOUNTANTS • VALUE ADDED SERVICES

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This report is intended solely for the information of the audit committee, Commissioner Office of Municipal Affairs, management and the 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.

San Juan, Puerto Rico
December 15, 2008

Ortiz, Rivera, Rivera & Co.

The stamp 2386822 was affixed to the original of this report.



**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

1. SUMMARY OF AUDIT RESULTS

- a. The auditors' report expresses an unqualified opinion on the basic financial statements of the Municipality of Ciales.
- b. There were no significant deficiencies on internal controls.
- c. No instances of noncompliance material to the financial statements of Municipality of Ciales were disclosed during the audit.
- d. There were no significant deficiencies on internal controls over major programs.
- e. The auditor's report on compliance with requirements applicable to federal award programs for Municipality of Ciales express an unqualified opinion.
- f. Audit findings relative to the major federal award programs for the Municipality of Ciales are reported in number 3 of this schedule.
- g. The programs tested as major program are:
 - SBGP - CFDA No. 14.228
 - Child Care and Development Block Grant - CFDA No. 93.575
- h. The threshold for distinguishing types A and B programs was \$300,000.
- i. Municipality of Ciales was determined to be a high-risk auditee.

2. FINDINGS - FINANCIAL STATEMENTS AUDIT

a. Finding 08-A

The Municipality realized several transfers from its special revenue fund accounts to the general account during 2007-2008 amounting to \$1.135 million. In addition, the Municipality made disbursements from general account in order to reimburse the funds used from the issuance bonds fund. Those transactions were not recorded on accounting books, and debt balance cannot be clearly determined.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

Criteria

Article 8 of the Resource Allocation for the Realization of Permanent Works, Acquisition of Equipment, Purchase of Materials and Other Social Interest Activities Act (Law 179 of August 16, 2002) requires municipalities to utilize funds from state grants only for the intended purpose established by the Joint Resolution of the Puerto Rico Legislature and may not expend these in any activity not specifically and categorically addressed in the legislative grant. The use of funds from state grants in activities other than those mentioned in the Joint Resolution requires the prior approval of the Puerto Rico Legislature.

Cause

The bank transfers were authorized by the Finance Director. These transfers were made to compensate cash deficiency the Municipality was facing to pay current operating obligations. The Finance Director performed these transfers in violation of state law.

Recommendation

The Municipality should avoid this practice in order to comply with the law.

**3. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAM
AUDIT**

a. SBGP - CFDA No. 14.228

● **Condition 08-1**

The Federal Program Office did not request the extension for the 2006 year program contract (OCAM) on time.

Cause

The federal program did not maintain a due date schedule for request the extension for the contracts.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

Effect

The program is not in compliance with the OCAM contract clauses. The program operates without a valid contract.

Criteria

The federal funds of SBGP can be available through a signed contract into the Municipality and OCAM for each program year. Based on ninth clause of the SBGP Program 2006 contract, the funds are available for 18 months after the contract is signed. Then, based on fourth clause, the Municipality can request an extension that should be realized at least 45 days before the contract ends.

Recommendation

The Federal Program Office should establish a due date schedule for monitoring the due date of each program year contract in order to request the extensions into the time required.

Questioned Cost

None

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF STATUS OF PRIOR YEAR
AUDIT FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

During the current examination, follow-up was given to the findings informed to the Municipality in prior years. It was noted that corrective action has been taken, except for certain conditions that still exist and require further action. These are included in the accompanying Schedule of Prior Year Audits Findings and Questioned Costs.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF STATUS OF PRIOR YEAR
AUDIT FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

<u>Program</u>	<u>Finding/Noncompliance</u>	<u>Status</u>
SBGP - CFDA No. 14.228	Condition 07-1 The program did not comply with the procedures for minimizing the time elapsing between the transfer of funds received from Agency and disbursement by grantee.	Condition was corrected.
SBGP - CFDA No. 14.228	Condition 07-2 The Federal Program Office did not request the extensions of the program contracts on time.	Condition was corrected.
SBGP - CFDA No. 14.228	Condition 07-3 The Program Income Report was send late.	Condition was corrected.
Even Start - CFDA No. 84.213	Condition 07-4 The transfers made for the reimbursement to general fund are not clear in relation to the debt.	Condition still prevails.
Even Start - CFDA No. 84.213	Condition 07-5 The financial reports are submitted to the Agency after required.	Condition still prevails.
SBGP - CFDA No. 14.228	Condition 06-1 The program did not comply with the procedures for minimizing the time elapsing between the transfer of funds received from Agency and disbursement by grantee.	Condition was corrected.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF CIALES
SCHEDULE OF STATUS OF PRIOR YEAR
AUDIT FINDINGS AND QUESTIONED COSTS (CONTINUED)
FOR THE FISCAL YEAR ENDED JUNE 30, 2008**

<u>Program</u>	<u>Finding/Noncompliance</u>	<u>Status</u>
SBGP - CFDA No. 14.228	Condition 06-3 The Federal Program Office did not request the extensions for the year programs contracts (OCAM) on time. Some months on the fiscal year 2005-06, the program operates without a valid contract.	Condition still prevails.
SBGP - CFDA No. 14.228	Condition 06-4 The Program Income Report for the year ended December 31, 2005 was send to OCAM 15 days late.	Condition was corrected.

CORRECTIVE ACTION PLAN

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(787) 871-3743

CORRECTIVE ACTION PLAN

December 15, 2008

Cognizant or Oversight Agency for Audit:

Municipality of Ciales respectfully submits the following corrective action plan for the year ended June 30, 2008.

Name and address of independent public accounting firm: Ortiz, Rivera, Rivera & Co., Suite 152, PO Box 70250, San Juan, Puerto Rico 00936-7250.

Audit period: Fiscal year ended June 30, 2008.

The findings from the June 30, 2008 schedule of findings and questioned costs are discussed below. The findings are numbered consistently with the numbers assigned in the schedule.

FINDINGS - FEDERAL AWARD PROGRAM AUDITS, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Finding 08-1: SBGP - CFDA 14.228

Reportable Condition: See Condition 08-1

Recommendation

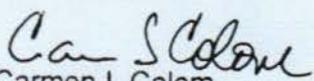
The Federal Program Office should establish a due date schedule for monitoring the due date of each program year contract in order to request the extensions into the time required.

Action Taken

The Federal Program Office will establish schedule for monitoring and follow up due date of contract to comply with the requirement.

If the Cognizant or Oversight Agency for Audit has questions regarding this plan, please call Carmen I. Colom at (787) 871-3636.

Cordially,


Carmen I. Colom
Federal Program Director