

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

**MUNICIPIO DE PEÑUELAS
AUDITORÍA 2011-2012
30 DE JUNIO DE 2012**

SINGLE AUDIT REPORT
For the Fiscal Year Ended June 30, 2012
(With Independent Auditors' Report Thereon)
COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF PEÑUELAS
Basic Financial Statements and
Supplemental Schedule
Single Audit Report
June 30, 2012

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF PEÑUELAS**

SINGLE AUDIT REPORT

For the Fiscal Year Ended June 30, 2012
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**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF PEÑUELAS**

Basic Financial Statements and

Supplemental Schedule

Single Audit Report

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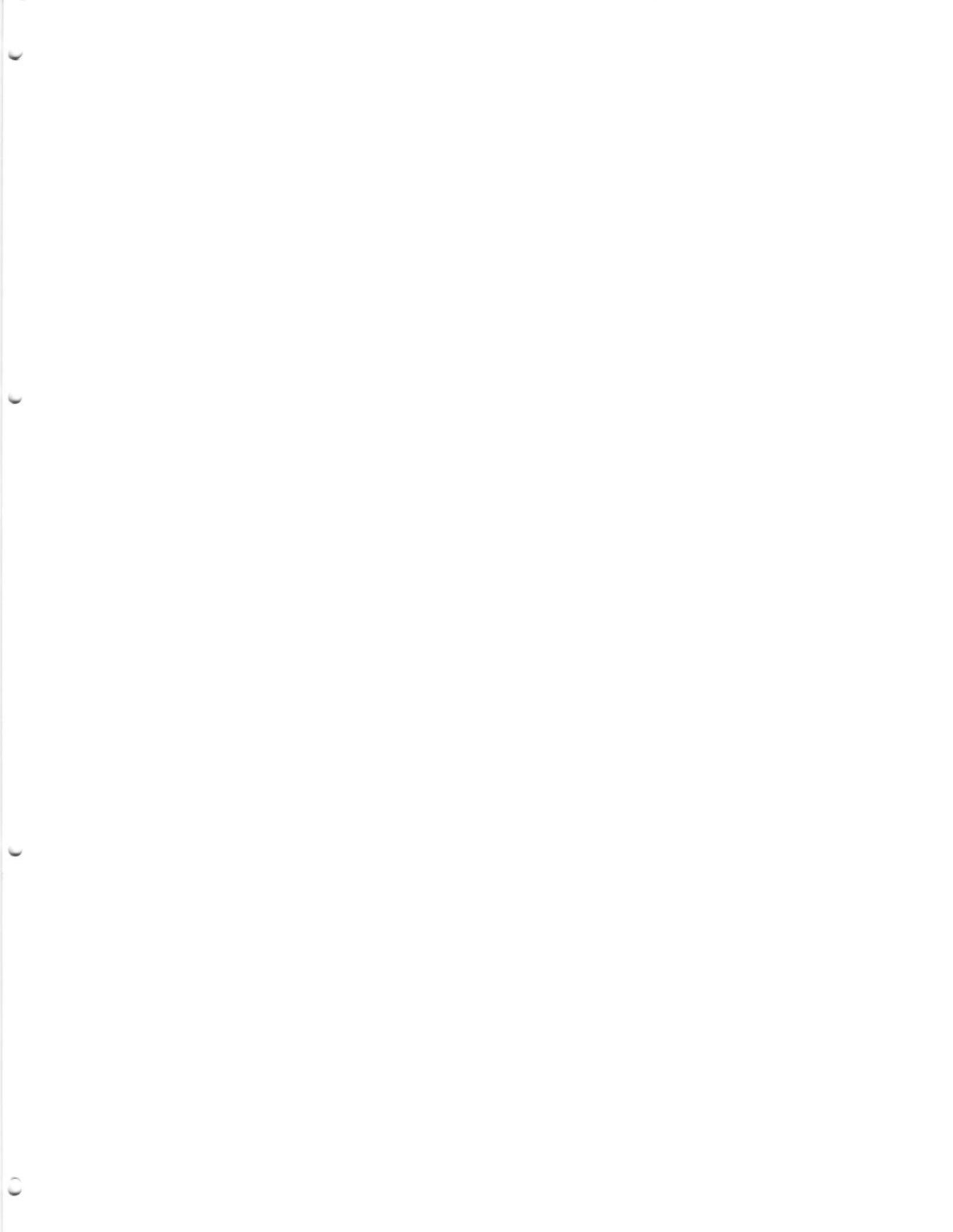


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INDEPENDENT AUDITOR'S REPORT

HONORABLE MAYOR AND MUNICIPAL COUNCIL
MUNICIPALITY OF PEÑUELAS, 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 Peñuelas, Puerto Rico, as of and for the year ended June 30, 2012, 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.

Except as discussed in the following paragraph, 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 statements presentation. We believe that our audit provides a reasonable basis for our opinions.

The Municipality did not have complete, updated and accurate accounting records of the capital assets in order to us to obtain sufficient appropriate audit evidence related to the capital assets reported in the accompanying statement of net assets for \$ 37,541,783 (net of accumulated depreciation of \$18,872,891) as of June 30, 2012, and the related amount of depreciation expense stated at \$1,907,869 for the year then ended. Therefore, we were unable to form an opinion regarding the capital assets and related depreciation expense reported in the governmental activities of the Municipality.

Because of the significance of the matter discussed in the preceding paragraph, the scope of our work was not sufficient to enable us to express, and we do not express, an opinion on the financial position of the governmental activities of the Municipality of Peñuelas as of June 30, 2012, and the changes in financial position thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In addition, in our opinion, the financial statements referred to in the first paragraph present fairly, in all material respects, the respective financial position of each major fund and the aggregate remaining fund information of the Municipality of Peñuelas as of June 30, 2012 and the respective changes in financial position, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

INDEPENDENT AUDITOR'S REPORT

Municipality of Peñuelas

In accordance with Government Auditing Standards, we have also issued a report dated March 27, 2013, 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 result of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 5 through 17 and 66 through 67 be presented to supplement basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standard Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economical or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management responses to our inquiries, the basic statements, and other knowledge we obtain during our audit to the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Municipality of Peñuela's basic financial statements as a whole. The accompanying Financial Data Schedule is presented for purpose of additional analysis as required by the U.S. Department of Housing and Urban Development. 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 of the Municipality. The Financial Data Schedule and the Schedule of Expenditures of Federal Awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements taken as a whole.

Mendoza & Ramos

MENDOZA & RAMOS
CONTADORES PÚBLICOS AUTORIZADOS, C.S.P.

March 27, 2013
Guayama, Puerto Rico

The stamp number 2576184
was affixed to the original of this report.



MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS
FISCAL YEAR ENDED JUNE 30, 2012

As management of the Municipality of Peñuelas (the Municipality), we offer readers the following discussion and analysis of the Municipality's financial activities reported in the accompanying basic financial statements as of and for the fiscal year ended June 30, 2012. We encourage readers to consider the information presented here in conjunction with additional information that is furnished in the accompanying financial statements, which follow this narrative.

Besides, this document includes comparative data with prior year as this information was available for the fiscal year ended on June 30, 2011. This MD & A is prepared in order to comply with the Governmental Accounting Standards Board (GASB) Statement No. 34, "Basic Financial Statements – and Management's Discussion and Analysis-for State and Local Governments." and, among other purposes, to provide the financial statements users with the following major information:

- a broader basis in focusing important issues;
- acknowledgement of an overview of the Municipality's financial activities;
- provides for an evaluation of its financial condition as of the end of fiscal year 2011-2012 compared with prior year results;
- identification of uses of funds in the financing of the Municipality's variety of activities and;
- asses management's ability to handle budgetary functions.

FINANCIAL HIGHLIGHTS

Government-Wide Highlights:

- The Municipality's total assets amounted to \$63,887,871 at June 30, 2012, of which \$37,541,783 (59%) consist of capital assets (net of accumulated depreciation and amortization of \$18,872,891), \$15,194,805 (24%) consist of cash and cash equivalents (of which \$5,267,130 are restricted for specific purposes), \$9,374,655 (15%) consist of cash with fiscal agent (which are restricted principally for capital projects and debt service) and \$1,776,628 (3%) consist of accounts receivable.
- The Municipality's total liabilities amounted to \$38,691,659 at June 30, 2012, of which \$25,886,000 (68%) consist of bonds and notes payable, \$3,303,559 (9%) consist of accounts payable and accrued liabilities, \$2,457,319 (6%) consist of accrued compensated absences, \$5,543,685 (14%) consist of unearned revenues, and \$1,501,096 (4%) consist of other long-term debts.
- The Municipality's total assets exceeded its liabilities (net assets) by \$25,196,212 at June 30, 2012.
- The Municipality's total revenues amounted to \$29,431,375 for the fiscal year ended June 30, 2012, of which \$15,272,388 (52%) arose from taxes, \$13,859,722 (47%) arose from intergovernmental grants and contributions, and \$299,265 (1%) arose from charges from services, miscellaneous revenues and interest on deposits.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

- The Municipality's total expenses amounted to \$26,091,909 for the fiscal year ended June 30, 2012, of which \$19,581,090 (75%) were incurred in providing direct services and benefits to citizens in relation to public works, economic development, health and welfare, public safety, culture and recreation, community development, and education. In addition, the Municipality incurred in \$920,956 (4%) of its total expenses, in interests related to its long-term obligations, and \$5,589,863 (22%) in general government activities to support the Municipality's functions and programs. The Municipality's total expenses include depreciation and amortization of capital assets in the amount of \$1,907,869 for the fiscal year ended June 30, 2012.
- The Municipality's total net assets increased by \$3,339,466 during the fiscal year ended June 30, 2012.

Governmental Funds' Highlights:

- The total fund balances of governmental funds amounted to \$16,733,844 at June 30, 2012, of which \$12,152,309 are restricted, committed and assigned, while \$4,581,535 are presented as unassigned fund.
- The fund balances of governmental funds decreased by (\$1,079,918) during the fiscal year ended June 30, 2012, principally due to an increase of expenses of several projects in the Capital Project Fund.

OVERVIEW OF THE BASIC FINANCIAL STATEMENTS

The purpose of financial reporting is to provide external users of basic financial statements with information that will help them to make decisions or draw conclusions about the Municipality. There are many external parties that use the basic financial statements of the Municipality; however, these parties do not always have the same specific objectives. In order to address the needs of as many parties as reasonably possible, the Municipality, in accordance with required financial reporting standards, presents this Management's Discussion and Analysis (MD&A) as an introduction to the accompanying basic financial statements. This narrative represents an overview and analysis of the financial activities of the Municipality for the fiscal year ended June 30, 2012. Because this MD&A is designed to focus on the current year activities, resulting changes and currently known facts, we encourage readers to consider the information presented in this MD&A in conjunction with the additional information furnished in the accompanying basic financial statements.

The Municipality's basic financial statements include three components: (1) government-wide financial statements (GWFS), (2) fund financial statements (FFS), and (3) notes to the basic financial statements (NBFS). This report also contains additional required information in addition to the basic financial statements themselves. These components are described below.

The basic financial statements focus on: (1) the Municipality as a whole (government-wide financial reporting) and, (2) the Municipality's major individual governmental funds. Both perspectives allow the users to address relevant questions, broaden a basis for comparison (year to year or government to government) and enhance the Municipality's accountability. The components of the basic financial statements are described below.

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MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

a) Government-Wide Financial Statements

The GWFS are composed of: (1) the statements of net assets (SNA) and (2) the statement of activities (SA). These financial statements can be found immediately following this MD&A. GWFS are designed to provide readers with a broad overview of the Municipality's operations as a whole in a manner similar to private-sector businesses. These statements provide short-term and long-term information about the Municipality's financial position, which assist the Municipality's management to determine the economic condition at June 30, 2012. The GWFS are prepared using methods that are similar to those used by most private businesses.

Both of the government-wide financial statements distinguish functions of the Municipality that are principally supported by taxes and intergovernmental activities (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*).

1. Statement of Net Assets

The purpose of SNA is to attempt to report all assets owned and all liabilities owed by the Municipality. The Municipality reports of all of its assets when it acquires ownership over the assets and reports all of its liabilities when they are incurred. For example, the Municipality reports buildings and infrastructure as assets, even though they are not available to pay the obligations incurred by the Municipality. On the other hand, the Municipality reports liabilities, such as claims and judgments, bonds and notes payable, obligations under capital leases, compensated absences and certain accounts payable and accrued liabilities, even though these liabilities might not be paid until several fiscal years into the future.

The difference between the Municipality's total assets and total liabilities reported in SNA is presented as *net assets*, which is similar to the total owners' equity reported by a commercial enterprise in its financial statements. Although the purpose of the Municipality is not to accumulate net assets, as this amount increases or decreases over time, such amount represents a useful indicator of whether the financial position of the Municipality is either improving or deteriorating, respectively.

2. Statement of Activities

The SA presents information showing how the Municipality's net assets changed during the fiscal year ended June 30, 2012, by presenting all of the Municipality's revenues and expenses. As previously discussed, the items reported in SA are measured in a manner similar to the approach used by a commercial enterprise in that revenues are recognized when earned or established criteria are satisfied, and expenses are recorded when incurred by the Municipality. Consequently, revenues are reported even when they may not be collected for several months after the end of the fiscal year and expenses are recorded even though they may not have used cash during the current year.

Although SA looks different from a commercial enterprise's income statement, the difference is only in format, not substance. Whereas the bottom line in a commercial enterprise represents its net income, the Municipality reports an amount described as *net change in net assets*, which is essentially the same concept.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

The focus of SA is on the *net cost* of various activities provided by the Municipality. The statement begins with a column that identifies the cost of each of the Municipality's major functions. Another column identifies the revenues that are specifically related to the classified governmental functions. The difference between the expenses and revenues related to specific functions/programs identifies the extent to which each function of the Municipality draws from general revenues or is self-financing through fees, intergovernmental aid, and other sources of resources.

This statement also presents a comparison between direct expenses and program revenues for each function of the Municipality.

GWFS and FFS present all of the Municipality's governmental activities, which are supported mostly by taxes, intergovernmental revenues (such as federal and state grants and contributions), and charge for services. All services normally associated with the Municipality fall into this category, including culture, recreation and education; general government; health and sanitation; public safety; welfare and housing assistance; and urban and economic development.

b) Fund Financial Statements

The Municipality's FFS consist of: (1) the balance sheet – governmental funds and (2) the statement of revenues, expenditures and changes in fund balances – governmental funds. These financial statements report the financial position, the results of operations of the Municipality's governmental funds, with an emphasis on the Municipality's major governmental funds.

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Municipality, like most other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Each fund is considered an independent fiscal entity accounted for within a set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenue, and expenditures. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with legal, financial and contractual provisions. All of the funds of the Municipality can be divided into two categories: governmental funds and proprietary funds.

1. Governmental funds

Governmental funds are used to account for most of the services provided by the Municipality. These funds are used to account for essentially the same functions reported as governmental activities in the GWFS. Unlike GWFS, the focus of governmental funds in the FFS is directed to specific activities of the Municipality rather than the Municipality as a whole; therefore, governmental funds in FFS report the Municipality's operations in more detail than the GWFS.

Governmental funds in FFS provide a detailed short-term view of the Municipality's finances that assist in determining whether there will be adequate financial resources available to meet the current needs of the Municipality, which is, evaluating the Municipality's near-term financing requirements. For financial reporting purposes, the Municipality classifies its governmental funds within the following types: (1) general fund, (2) special revenue fund-Head Start Program, (3) capital project fund- local, state and federal grants, (4) debt service fund and (5) Other governmental fund.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

Governmental funds FFS are prepared on an accounting basis that is significantly different from that used to prepare GWFS. In general, governmental funds FFS focus on near-term inflows and outflows of expendable financial resources, consequently, they measure and account for cash and other assets that can easily be converted to cash. For example, amounts reported on the balance sheet include capital assets within a very short period of time, but do not include capital assets such as land and buildings. Governmental fund liabilities generally include amounts that normally are going to be paid within a short period after the end of the fiscal year. The difference between a fund's total assets and total liabilities is reported as the fund balance or deficit, and generally indicates the amount that can be used to finance the next fiscal year's activities. Likewise, the operating statement for governmental funds reports only those revenues and expenditures that were collected in cash or paid with cash, respectively, during the current fiscal year or very shortly after the end of the fiscal year.

Because the focus of governmental funds FFS is narrower than that of the GWFS, it is useful to compare the fund information presented for governmental funds with similar information presented for governmental activities in the GWFS. By doing so, readers may better understand the long-term impact of the Municipality's near-term financial decisions. Both the governmental funds' balance sheet and the governmental funds' statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate the comparison between governmental funds and the governmental activities reported in the government-wide financial statements.

The Municipality has five major governmental funds. Each major fund is presented in a separate column in the balance sheet – governmental funds and the statement of revenues, expenditures and changes in fund balances – governmental funds. The five major governmental funds are: (1) general fund, (2) special revenue fund-Head Start Program, (3) capital project fund- local, state and federal grants, (4) debt service fund and (5) Other governmental fund.

c) Notes to Basic Financial Statements

The NBFS provide additional information that is essential for a full understanding of the data provided in the GWFS and FFS. The NBFS can be found immediately following the basic financial statements.

d) Other Supplementary Information

The basic financial statements are followed by a section of other supplementary information consisting of budgetary comparison schedule – general fund.

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MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

FINANCIAL ANALYSIS OF GOVERNMENT-WIDE FINANCIAL STATEMENTS

The Municipality's overall financial position and operations at June 30, 2012 and 2011 are summarized as follows, based on the information included in the accompanying statement of net assets:

	<u>Governmental Activities</u>		<u>Change</u>	
	<u>2012</u>	<u>2011</u>	<u>\$</u>	<u>%</u>
Assets:				
Current assets	\$26,346,088	\$27,740,101	(\$1,394,013)	-5.00%
Non-current assets:				
Capital assets, net	37,541,783	31,202,776	6,339,007	20.32%
Total assets	<u>63,887,871</u>	<u>58,942,877</u>	<u>4,944,994</u>	<u>8.40%</u>
Liabilities:				
Current liabilities, excluding long-term obligations	8,847,244	6,376,101	2,471,143	38.76%
Long-term obligations:				
Due within one year	1,389,287	1,186,976	202,311	17.04%
Due after one year	28,455,128	29,523,054	(1,067,926)	-3.62%
Total liabilities	<u>38,691,659</u>	<u>37,086,131</u>	<u>1,605,528</u>	<u>4.33%</u>
Net assets (deficit):				
Invested in capital assets, net of related debt	17,336,783	10,197,776	7,139,007	70.01%
Restricted	12,917,309	14,858,456	(1,941,147)	-13.06%
Unrestricted	(5,057,880)	(3,199,486)	(1,858,394)	58.08%
Total net assets	<u>\$25,196,212</u>	<u>\$21,856,746</u>	<u>\$3,339,466</u>	<u>15.28%</u>

At June 30, 2012, the Municipality's current assets, amounting to \$26,346,088 are mainly composed of restricted and unrestricted cash and cash equivalents (\$15,194,805), restricted cash with fiscal agent (\$9,374,655), and restricted and unrestricted intergovernmental grants and contributions receivable (\$1,290,252).

The restricted cash represents resources legally designated for: (1) the payment of debt service, (2) the acquisition, construction and improvement of major capital assets, and (3) the operations of federally and state funded grant programs. Restricted cash also consists of unspent proceeds of bonds issued for acquisition, construction and improvement of major capital assets.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

The Municipality's non-current assets, amounting to \$37,541,783 at June 30, 2012, are substantially composed of capital assets, with a cost basis of \$56,414,674, which are reported net of accumulated depreciation and amortization of \$18,872,891.

At June 30, 2012, the Municipality's current liabilities amounting to \$8,847,244 are mainly composed of unearned revenues (\$5,543,685), accounts payable and accrued liabilities (\$2,677,363), interest payable (\$269,992), and intergovernmental payables (\$356,204). Unearned revenues principally consist of unearned revenues associated with municipal license taxes and intergovernmental grants and contributions related to state and federally funded grant programs.

The Municipality's non-current liabilities, amounting to \$29,844,415 at June 30, 2012, are mainly composed of portion due within one year of bonds and notes payable (\$1,389,287), and the portion due after one year of bonds and notes payable (\$28,455,128).

As noted earlier, net assets may serve over time as a useful indicator of the Municipality's financial position. The assets of the Municipality exceeded liabilities by \$25,196,212 at June 30, 2012. The most significant portion of net assets (\$17,336,783) reflects the Municipality's investment in capital assets (e.g. land, buildings, machinery, equipment, furniture, fixtures, infrastructure, etc.), net of all related debt still outstanding that was issued to acquire, construct or improve those assets. 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 capital assets is reported net of the outstanding related debt, the resources needed to repay that debt must be provided by other sources, since capital assets cannot be used to liquidate these liabilities. The another significant portion net assets (\$12,917,309) at June 30, 2012, represents resources that are restricted for debt service payments and to finance the operations of federal and state funded programs.

The remaining component of total net assets consists of unrestricted net liabilities amounting to (\$5,057,880) at June 30, 2012. These unrestricted net liabilities are the consequence of previous budgets that did not provide sufficient funding for incurred long-term obligations, such as bonds and notes payable, compensated absences, etc. Historically, a significant portion of such obligations has been budgeted on a pay-as-you-go basis.

The total net assets of the Municipality increased by \$3,339,466 for the fiscal year ended June 30, 2012. Such increase is due to the excess of total revenues (\$29,431,395), over total expenses (\$26,091,909), including depreciation and amortization of capital assets of (\$1,907,839) for the fiscal year ended June 30, 2012.

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MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

The following is a condensed presentation of the Municipality's results of operations as reported in the statement of activities for the fiscal years ended June 30, 2012 and 2011:

	Governmental activities		Change	
	2012	2011	\$	%
Program revenues:				
Program-specific operating grants and contributions	\$5,457,191	\$6,210,824	(\$753,633)	-12.13%
Program-specific capital grants and contributions	3,822,041	2,206,320	1,615,721	73.23%
Charges for services	54,477	64,816	-10,339	-15.95%
Total program revenues	<u>9,333,709</u>	<u>8,481,960</u>	<u>851,749</u>	<u>10.04%</u>
General revenues:				
Property taxes	5,214,473	4,971,955	242,518	4.88%
Municipal license taxes	8,832,178	10,830,805	-1,998,627	-18.45%
Sales and use taxes	916,068	735,161	180,907	24.61%
Interest and investment earnings	197,170	145,688	51,482	35.34%
Unrestricted grants and contributions	4,580,490	4,517,547	62,943	1.39%
Other local taxes	309,669	769,216	-459,547	-59.74%
Other general revenues (various sources)	47,618	105,200	-57,582	-54.74%
Total general revenues	<u>20,097,666</u>	<u>22,075,572</u>	<u>-1,977,906</u>	<u>-8.96%</u>
Total revenues	<u>29,431,375</u>	<u>30,557,532</u>	<u>-1,126,157</u>	<u>-3.69%</u>
Program expenses:				
General government	5,589,863	4,901,093	688,770	14.05%
Urban and economic development	8,569,956	7,931,859	638,097	8.05%
Health and welfare	7,108,162	8,277,242	-1,169,080	-14.12%
Public safety	1,235,003	1,138,892	96,111	8.44%
Culture and recreation	1,042,085	1,838,151	-796,066	-43.31%
Economic development	4,644	52,811	-48,167	-91.21%
Education	368,107	331,498	36,609	11.04%
Community development	1,253,133	715,164	537,969	75.22%
Interest on long-term obligations	920,956	773,396	147,560	19.08%
Total expenses	<u>26,091,909</u>	<u>25,960,106</u>	<u>131,803</u>	<u>0.51%</u>
Net increase (decrease) in net assets	3,339,466	4,597,746	-1,257,960	-27.37%
Net assets, at beginning of fiscal year	<u>21,856,746</u>	<u>17,259,320</u>	<u>4,597,426</u>	<u>26.64%</u>
Net assets, at end of fiscal year	<u>\$25,192,212</u>	<u>\$21,857,066</u>	<u>\$3,339,146</u>	<u>15.28%</u>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

As previously mentioned, the Municipality's total net assets increased by \$3,339,466 during the current fiscal year. Approximately 52% (\$15,272,388) of the Municipality's total revenues for the current fiscal year came from property, municipal license, construction excise and sales and use taxes, while 47% (\$13,859,722) resulted from restricted and unrestricted capital and operating grants and contributions. Charges for services and other revenues, amounting to \$299,265, provided 1% of the total revenues for the current fiscal year.

The Municipality's expenses cover a wide range of services. The largest expenses of the Municipality for the fiscal year ended June 30, 2012 were related to: (1) general administrative and operating costs (\$5,589,863), which were classified as "general government" and accounted for 21% of total expenses, (2) public safety (\$1,235,003), which accounted for 5% of total expenses, (3) public works (\$8,569,956), which accounted for 33% of total expense, (4) health and welfare (\$7,108,162), which accounted for 27% percent of total expenses (5) culture and recreation (\$1,042,085), which accounted for 3.99% of total expenses, (6) economic development (\$4,644), which accounted for 0.02% of total expenses (7) community development (\$1,253,133), which accounted for 5% of total expenses, (8) education (\$368,107), which is accounted for 1% of total expenses, and (9) interest on long-term obligations (\$920,956), which accounted for 4% of total expenses. These expenses include depreciation of capital assets and deferred charges in the amount of (\$1,907,859), for the fiscal year ended June 30, 2012.

FINANCIAL ANALYSIS OF GOVERNMENTAL ACTIVITIES

Analysis of Financial Position of Governmental Funds

As discussed earlier, the Municipality uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The focus of the Municipality's governmental funds is to provide information on near-term inflows, outflows, and balances of expendable resources. Such information is useful in assessing the Municipality's compliance with finance-related legal requirements. Specifically, unreserved fund balance may serve as a useful measure of the Municipality's net resources available for spending at the end of the fiscal year.

At June 30, 2012, the total assets of governmental funds amounted to \$27,315,376, which consisted principally of: (1) cash and cash equivalents of \$15,194,805 (56%), (2) cash in fiscal agent of \$9,374,655 (34%), (3) municipal licenses, property and sales taxes, intergovernmental, accrued interests and other receivables of \$2,745,916 (10%). Such assets include cash, cash equivalents and receivables that are principally used for debt service, capital projects, encumbrances and other specific purposes.

At June 30, 2012, the total liabilities of governmental funds amounted to \$10,581,532, which consisted principally of: (1) deferred revenues of \$5,543,685 (52%), (2) accounts payable and accrued liabilities and another payables of \$3,646,651 (34%), (3) intergovernmental accounts payable of \$356,204 (3%) and matured bonds and interests due and payable of \$1,034,992 (10%).

The total fund balances of governmental funds amounted to \$16,733,844 at June 30, 2012, of which \$12,152,309 are reserved for restricted, committed and assigned, while \$4,581,535 represent unassigned fund balance. The fund balances of governmental funds decreased by (\$1,079,918) during the fiscal year ended June 30, 2012, principally due to a significant increase of expenses of several projects in the Capital Project Fund.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

The following table presents the condensed financial position of governmental funds at June 30, 2012 and 2011:

	<u>2012</u>	<u>2011</u>
Assets:		
Total assets - major governmental funds	\$ 22,491,944	\$ 22,476,637
Total assets - other governmental funds	4,823,432	3,012,932
Combined total assets	<u>27,315,376</u>	<u>25,489,569</u>
Liabilities:		
Total liabilities - major governmental funds	8,905,393	6,690,342
Total liabilities - other governmental funds	1,676,139	985,465
Combined total liabilities	<u>10,581,532</u>	<u>7,675,807</u>
Fund balances (deficits):		
Restricted – major governmental funds	8,918,507	11,695,960
Committed – other governmental funds	1,588,001	203,188
Assigned – major governmental funds	86,509	14,959
Assigned – other governmental funds	1,559,292	1,824,279
Unassigned	4,581,535	4,075,376
Combined total fund balances	<u>16,733,844</u>	<u>17,813,762</u>
Total liabilities and fund balances	<u>\$ 27,315,376</u>	<u>\$ 25,489,569</u>

Major Governmental Funds

General fund (GF) – The GF is the principal operating fund of the Municipality. The GF's total assets amounted to \$11,167,140 at June 30, 2012. Such assets consist principally of: (1) Cash in commercial banks (\$9,927,675), (2) municipal licenses, and sales and use tax receivables (\$253,724), (3) short-term amounts due from other funds (\$969,288), and (4) restricted cash in fiscal agent (\$16,453).

The GF's total liabilities amounted to \$6,482,643 at June 30, 2012. Such liabilities are composed mainly of: (1) deferred revenues (\$5,317,936), and (2) accounts payable and accrued liabilities, including amounts due to other governments (\$1,164,707).

At the end of the current fiscal year, reserved fund balance for restricted and assigned reached \$102,962, unassigned fund balance of the GF amounted to \$4,581,535, while total fund balance reached \$4,684,497.

Special revenue fund Head Start (SRHS)– The SRF-HS's total assets amounted to \$732,905 at June 30, 2012, which consist mainly of restricted cash in fiscal agent (\$363,501) and intergovernmental receivable (\$369,404). The SRF-HS's total liabilities amounted to \$732,905 at June 30, 2012.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

Capital project fund (CPF-LSF)- The CPF-LSF's total assets amounted to \$6,483,687 at June 30, 2012, which consist of restricted cash with fiscal agent (\$5,130,642), and unrestricted cash in commercial bank (\$1,353,045). The CPF-LSF's total liabilities amounted to \$654,853 at June 30, 2012, which are composed mainly of accounts payable and accrued liabilities. At the end of the current fiscal year, the CPF-LSF's had total restricted fund balances amounted to \$5,828,834.

Debt service fund (DSF)- The DSF's total assets amounted to \$4,108,212 at June 30, 2012, which consist mainly of restricted cash in fiscal agent (\$3,875,560). The DSF's total liabilities amounted to \$1,034,992 at June 30, 2012, which are mainly composed of: (1) matured bonds due and payable (\$765,000), and (2) matured interest due and payable (\$269,992). At the end of the current fiscal year, DSF's total and reserved fund balance reached \$3,073,220.

Other governmental funds (OGF)- The OGF's total assets amounted to \$4,823,432 at June 30, 2012, which consist mainly of restricted cash and cash equivalents (\$3,550,584), restricted cash in fiscal agent (\$352,000), and receivables from intergovernmental grants and contributions (\$920,848). The OGF's total liabilities amounted to \$1,676,139 at June 30, 2012, which are mainly composed of deferred revenues (\$49,895), accounts payable and accrued liabilities (\$1,241,603) and short-term amounts due to other funds (\$384,641). At the end of the current fiscal year, OGF's total reserved fund balance reached \$3,147,293.

Analysis of Operating Results of Governmental Funds

Major Governmental Funds

General fund – The total fund balance of the GF increased by \$577,709 during current fiscal year, principally due to a significant increase in municipal license tax revenues. Total revenues, expenditures and other financing sources (net) amounted to \$21,027,783, \$17,420,521, and \$(3,029,553), respectively, for the fiscal year ended June 30, 2012.

Approximately 77% (\$16,149,992) of the GF's total revenues for the current fiscal year came from property, municipal license, construction excise and sales and use taxes, while 22% (\$4,580,490) resulted from intergovernmental grants and contributions. Interest revenues, charges for services and miscellaneous revenues, amounting to \$297,301, provided 1.5% of the total revenues for the current fiscal year.

The largest expenses of the GF for the fiscal year ended June 30, 2012 were related to: (1) general administrative and operating costs (\$4,829,493), which were classified as "general government" and accounted for 28% of total expenses, (2) public safety (\$1,146,646), which accounted for 7% of total expenses, (3) public works (\$7,553,357), which accounted for 43% percent of total expenses, (4) health and welfare (\$1,486,407), which accounted for 9% of total expenses, (5) culture and recreation (\$2,064,674), which accounted for 12% of total expenses, and (6) education (\$339,944), which accounted for 2% of total expenses.

Special revenue fund - Head Start Program (SRF-HSP) – The total fund balance of the SRF-HSP is \$0 during current fiscal year. Total revenues for the fiscal year ended June 30, 2012 is \$4,114,690.

Total expenditures amounted to \$4,114,690 for the fiscal year ended June 30, 2010. SRF-HSP's total expenditures for the current fiscal year came from health and welfare.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

Capital project fund – Local, State & Federal grants (CPF-LSFG)- The total fund balance of the CPF-LSFG decreased by (\$3,173,747) during current fiscal year. Total expenditures amounted to \$3,173,747 for the fiscal year ended June 30, 2012.

CPF-LSFG's total expenditures for the current fiscal year came from culture and recreation (\$2,454,429), and public works (\$719,318).

Debt service fund (DSF) – The total fund balance of the DSF increased by \$396,294 during current fiscal year. Total revenues, expenditures and other financing sources (net) amounted to \$1,968,585, \$1,900,956 and \$328,665, respectively, for the fiscal year ended June 30, 2012.

Approximately 73% (\$1,444,410) of DSF's total revenues for the current fiscal year came from restricted property taxes, while 27% (\$523,224) came from restricted sales and use taxes. DSF's total expenditures for the current fiscal year came from principal and interests on bonds payable (\$1,900,956).

Other governmental funds (OGF) – The total fund balance of the OGF increased by \$(1,119,826) during current fiscal year. Total revenues and expenditures amounted to \$5,165,555, and \$6,746,617, respectively, for the fiscal year ended June 30, 2012. Approximately 48% (\$2,466,799) of OGF's total revenues for the current fiscal year came from intergovernmental grants and \$2,682,498 (52%) from federal grants.

The largest expenses of the OGF for the fiscal year ended June 30, 2012 were related to: (1) education (\$13,415), which accounted for .2% of total expenses, (2) health and welfare (\$1,467,929), which accounted for 22% percent of total expenses, (3) community development (\$1,071,898), which accounted for 16% of total expenses, (4) economic development (\$4,644), which accounted for .1% and (5) public works (\$3,368,885), which accounted for 50%.

BUDGETARY HIGHLIGHTS

a) General Fund

The final budget of the general fund for the fiscal year ended June 30, 2012 amounted to \$18,703,685. Over the course of the fiscal year, the Municipality revised the GF's budget in order to include increases and decreases in revenues that were identified during the course of the fiscal year based on current developments that positively affected the Municipality's finances. The laws and regulations of the Commonwealth mandate a balanced budget.

The total actual revenues (budgetary basis) of the general fund for the fiscal year ended June 30, 2012 were \$20,538,793, which is 9.8% \$1,835,108 higher than the budgeted revenues. In addition, the total actual expenditures (budgetary basis) of the general fund for the fiscal year ended June 30, 2012 were \$17,652,423, which is .3% (\$596,262), lower than the budgeted expenditures.

The most significant fluctuations in actual revenues occurred in municipal licenses taxes which had actual revenues that were \$3,184,097 higher than budgeted. This fluctuation arise because a significant amount of municipal license from the current year was collected after year end closing.

Also, the most significant fluctuations in actual expenditures and encumbrances occurred in public works, which had actual expenditures and encumbrances that were \$373,596 lower than budgeted,

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)
FISCAL YEAR ENDED JUNE 30, 2012

and general government and operating transfer to other fund, which had actual expenditures and encumbrances that were \$142,943 and \$126,335 lower than budgeted, respectively.

CAPITAL ASSETS AND DEBT ADMINISTRATION

a) Capital Assets

The Municipality has invested \$56,414,674 in capital assets used in governmental activities, which have an accumulated depreciation and amortization of \$18,872,891 at June 30, 2012. The net capital assets of governmental activities increased during the current fiscal year due to the current fiscal year's capital additions (\$8,246,876), which were partially offset by the depreciation and amortization expense (\$1,907,839) for the same period.

b) Debt Administration

The Municipality finances a significant portion of its construction activities through bond and note issuances, and through state and federal grants. 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.

At June 30, 2012, the Municipality's total bonded debt amounted to \$25,886,000, consisting of bonds payable. Such debt is backed by the full faith and credit of the Municipality. The following is a summary of the debt activity for the fiscal year ended June 30, 2012:

- Bonds payable decreased by 3.5% (\$920,000) by the effect of total principal payments on bonds made during the current fiscal year.
- The Municipality has also certain outstanding notes payable due to CRIM (\$1,501,096). Such notes payable decreased by \$64,256 during the current fiscal year mainly due to the principal payments made during the same period.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

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

REQUEST FOR INFORMATION

This financial report is designed to provide a general overview of the Municipality's finances for all of the Municipality's citizens, taxpayers, customers, investors and creditors. This financial report seeks to demonstrate the Municipality's accountability for the money it receives. Questions concerning any of the information provided in this report or requests for additional information should be addressed to the Municipality of Peñuelas, Department of Finance.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

STATEMENT OF NET ASSETS
YEAR ENDED JUNE 30, 2012

	Governmental Activities
Assets	
Cash and cash equivalents	\$ 15,194,805
Cash with fiscal agent	9,374,655
Accounts receivable:	
Intergovernmental	1,290,252
Municipal licenses	165,000
Other	321,376
Capital assets	
Land, improvements, and construction in progress	8,564,106
Other capital assets, net of depreciation	28,977,677
Total capital assets	37,541,783
Total assets	63,887,871
Liabilities	
Accounts payable and accrued liabilities	2,677,363
Due to other governmental entities	356,204
Deferred revenues:	
Municipal license tax	5,317,936
Federal grant revenues	225,749
Interest payable	269,992
Noncurrent liabilities:	
Due within one year	1,389,287
Due in more than one year	28,455,128
Total liabilities	38,691,659
Net Assets	
Invested in capital assets, net of related debt	17,336,783
Restricted for:	
Capital projects	5,828,834
Debt service	3,838,220
Other purposes	3,250,255
Unrestricted (deficit)	(5,057,880)
Total net assets	\$ 25,196,212

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2012

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Assets
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
General government	\$ 5,589,863				\$ (5,589,863)
Public safety	1,235,003	\$ 9,225			(1,225,778)
Public works	8,569,956	9,630		\$ 2,984,889	(5,575,437)
Health and welfare	7,108,162		\$ 5,444,083		(1,664,079)
Culture and recreation	1,042,085	35,622			(1,006,463)
Economic development	4,644		13,108		8,464
Community development	1,253,133			837,152	(415,981)
Education	368,107				(368,107)
Interest on long-term debt	920,956				(920,956)
Total governmental activities	\$ 26,091,909	\$ 54,477	\$ 5,457,191	\$ 3,822,041	(16,758,200)
General revenues:					
Property taxes					5,214,473
Municipal license tax					8,832,178
Sales tax					916,068
Other local taxes					309,669
Grants and contributions not restricted to specific programs					4,580,490
Interest and investment earnings					197,170
Miscellaneous					47,618
Total general revenues					20,097,666
Change in net assets					3,339,466
Net assets - beginning					21,856,746
Net assets - ending					\$ 25,196,212

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

BALANCE SHEET – GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2012

	General Fund	Special Revenue Fund Head Start	Capital Project Fund - Local, State & Federal Grants	Debt Service Fund	Other Governmental Funds	Total Governmental Funds
Assets						
Cash and cash equivalents in comercial banks	\$ 9,927,675					\$ 9,927,675
Accounts receivable:						
Municipal licenses taxes	165,000					165,000
Construction excise taxes	73,534					73,534
Other	15,190					15,190
Due from other funds	969,288					969,288
Restricted Assets:						
Cash and cash equivalents		\$ 363,501	\$ 1,353,045		\$ 3,550,584	5,267,130
Cash with fiscal agent	16,453		5,130,642	\$ 3,875,560	352,000	9,374,655
Accounts receivable:						
Intergovernmental		369,404			920,848	1,290,252
Other				232,652		232,652
Total assets	\$ 11,167,140	\$ 732,905	\$ 6,483,687	\$ 4,108,212	\$ 4,823,432	\$ 27,315,376
Liabilities and Fund Balances						
Liabilities :						
Accounts payable and accrued liabilities	\$ 808,503	\$ 1,555	\$ 625,702		\$ 1,241,603	\$ 2,677,363
Due to other governmental entities	356,204					356,204
Due to other funds		555,496	29,151		384,641	969,288
Deferred revenues:						
Municipal license tax	5,317,936					5,317,936
Federal grant revenues		175,854			49,895	225,749
Mature bonds due and payable				\$ 765,000		765,000
Interest Payable				269,992		269,992
Total liabilities	6,482,643	732,905	654,853	1,034,992	1,676,139	10,581,532
Fund balances						
Reserved for:						
Restricted	16,453		5,828,834	3,073,220		8,918,507
Committed					1,588,001	1,588,001
Assigned	86,509				1,559,292	1,645,801
Unassigned	4,581,535					4,581,535
Total fund balances	4,684,497	-	5,828,834	3,073,220	3,147,293	16,733,844
Total liabilities and fund balances	\$ 11,167,140	\$ 732,905	\$ 6,483,687	\$ 4,108,212	\$ 4,823,432	\$ 27,315,376

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

RECONCILIATION OF THE BALANCE SHEET – GOVERNMENTAL FUNDS TO THE
STATEMENT OF NET ASSETS
YEAR ENDED JUNE 30, 2012

The amounts of governmental reported in the statement of net assets are different to the amounts reported in the balance sheet- governmental funds for the following reasons:

The fund balances reported in the balance sheet - governmental funds \$ 16,733,844

Add (deduct):

Capital assets used in governmental activities are not considered available financial resources at fiscal year-end, therefore, are not reported in the governmental funds. This is the carrying amount of capital assets, net of accumulated depreciation and amortization of \$18,872,891 at June 30, 2012 37,541,783

The following liabilities are not due (mature) in the current period, therefore, are not reported in the governmental funds:

Compensated absences (2,457,319)
Bonds and notes payable (25,121,000)
Advance property tax debt (1,501,096)

Net assets as reported in the accompanying statement of net assets \$ 25,196,212

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2012

	General Fund	Special Revenue Fund Head Start Program	Capital Project Fund - Local, State & Federal Grants	Debt Service Fund	Other Governmental Funds	Total Governmental Funds
Revenues						
Property taxes	\$ 3,770,063			\$ 1,444,410		\$ 5,214,473
Municipal license taxes	11,677,416					11,677,416
Sales Tax	392,844			523,224		916,068
Licenses, permits and other local taxes	309,669					309,669
Charges for services	54,477					54,477
Intergovernmental	4,580,490				\$ 2,466,799	7,047,289
Interest	196,219			951		197,170
Federal grants		\$ 4,114,690			2,682,498	6,797,188
Miscellaneous	46,605				16,258	62,863
Total revenues	21,027,783	4,114,690	-	1,968,585	5,165,555	32,276,613
Expenditures						
Current:						
General government	4,829,493				401,111	5,230,604
Public safety	1,146,646				-	1,146,646
Public works	7,553,357		719,318		3,368,885	11,641,560
Health and welfare	1,486,407	4,114,690			1,467,929	7,069,026
Culture and recreation	2,064,674		2,454,429		418,735	4,937,838
Economic development					4,644	4,644
Community development					1,071,898	1,071,898
Education	339,944				13,415	353,359
Debt service:						
Principal				980,000	-	980,000
Interest				920,956	-	920,956
Total expenditures	17,420,521	4,114,690	3,173,747	1,900,956	6,746,617	33,356,531
Excess (deficiency) of revenues over (under) expenditures	3,607,262	-	(3,173,747)	67,629	(1,581,062)	(1,079,918)
Other financing sources (uses)						
Transfers in				328,665	2,700,888	3,029,553
Transfers out	(3,029,553)				-	(3,029,553)
Total other financing sources (uses)	(3,029,553)	-	-	328,665	2,700,888	-
Net change in fund balances	577,709		(3,173,747)	396,294	1,119,826	(1,079,918)
Fund balance beginning, as restated	4,106,788	-	9,002,581	2,676,926	2,027,467	17,813,762
Fund balance, ending	\$ 4,684,497	\$ -	\$ 5,828,834	\$ 3,073,220	\$ 3,147,293	\$ 16,733,844

O. Lopez
02/01/2013

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF
GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2012

Net Change in Fund Balances - Total Governmental Funds \$ (1,079,918)

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

Governmental Funds report capital outlays as expenditures. However, in the Government-Wide Statement of Activities and Changes in Net Assets, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount of capital assets recorded in the current period. 8,246,876

Depreciation expense on capital assets is reported in the Government-Wide Statements of Activities and Change in Net Assets, but they do not require the use of current financial resources. Therefore, depreciation expense is not reported as expenditures in Governmental Funds. (1,907,869)

Bonds and notes proceeds provides current financial resources to Governmental Funds, but issuing debt increase long-term liabilities in the Government-Wide statement of Net Assets. Repayment of bonds and notes principal is an expenditure in Governmental Funds, but the repayment reduces long-term liabilities in the Government-Wide Statement of Net Assets. This is the amount by which the debt proceeds exceed debt service principal payments. 980,000

Repayment of long term Claims, Property Tax and Retirement System debts (net of increases) are expenditures in Governmental Funds, but the repayment reduces long-term debts in the Government-Wide Statement of Net Assets. This is the amount paid in the current period. 64,256

Accounts receivables not collected 60 days after the closing date are not recognize in Governmental Funds, but these receivables are reported n the Government-Wide Statements of Activities and Change in Net Assets. (2,845,238)

Long-term compensated absences are reported in the Government-Wide Statement of Activities and Changes in Net Assets, but they do not require the use of current financial resources. Therefore, long-term compensated absences were not reported as expenditures in Governmental Funds. The following amount represent the change in long-term compensated absences from prior year. (118,641)

Change in Net Assets of Governmental Activities \$ 3,339,466

The notes to the financial statements are an integral part of this statement.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO BASIC FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2012

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Municipality of Peñuelas, Commonwealth of Puerto Rico (the Municipality), is a local municipal government constituted in 1793 in the Commonwealth of Puerto Rico. The Municipality has full legislative, fiscal and all other governmental powers and responsibilities expressly assigned by Law No. 81 of August 30, 1991, as amended, known as *Autonomous Municipalities Act of the Commonwealth of Puerto Rico* (Act No. 81).

The Municipality's governmental system consists of executive and legislative branches. The Constitution of the Commonwealth of Puerto Rico (the "Commonwealth") provides for the separation of powers of the executive, legislative and judicial branches. A Mayor, elected every four years by the citizens, exercises the executive power of the Municipality. The legislative power is exercised by the Municipal Legislature, which is also elected every four years. The General Justice Court System of the Commonwealth, which has jurisdiction over the Municipality, exercises the judiciary power.

The Municipality assumes responsibility for providing services to its citizens related to public housing, welfare, public safety, health, sanitation, education, culture, recreation, urban and economic development, and many other general and administrative duties.

a) Financial Reporting Model

The accompanying basic financial statements present the financial position of the governmental activities, each major governmental funds, and the aggregate remaining fund information of the Municipality at June 30, 2012, in conformity with Accounting Principles Generally Accepted in the United States of America (GAAP), as prescribed by the Governmental Accounting Standards Board (GASB). In addition, the accompanying basic financial statements present the changes in the financial position (results of operations) of the governmental activities, each major governmental fund, and the aggregate remaining fund information for the fiscal year ended June 30, 2012 in conformity with GAAP.

According to the financial reporting model established by GASB Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments* (GASB No. 34), the minimum required financial statement presentation applicable to the Municipality is composed of the following elements: (1) government-wide financial statements (GWFS), (2) governmental fund financial statements (GFFS), (3) notes to basic financial statements, and (4) required supplementary information (RSI).

RSI consists of: (1) a Management's Discussion and Analysis (MD&A) and (2) a budgetary comparison schedule – general fund. RSI is unaudited supplementary information required by GAAP presented along with, but separate from, the Municipality's basic financial statements.

MD&A is a narrative report that introduces the accompanying basic financial statements and provides an analytical overview of the Municipality's financial activities for the fiscal year ended June 30, 2012, based on the Municipality's knowledge of the transactions, events and conditions reflected in the basic financial statements. The MD&A also highlights certain key fiscal policies that control the Municipality's operations.

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The *Budgetary Comparison Schedule - General Fund* is a comparison of the actual results (using the budgetary basis of accounting, which differs from GAAP) with the original budget and the final amended budget for the General Fund. A budget to GAAP reconciliation is presented providing information of differences between the budgetary basis of accounting and GAAP.

b) *Financial Reporting Entity*

The accompanying basic financial statements include all departments, agencies and municipal entities that: (1) are under the legal and administrative control of the Mayor and (2) whose funds are under the legal custody and control of the Municipality's Director of Finance and Budget, as prescribed by Law No. 81.

The Municipality's management has considered all potential component units for which it may be financially accountable and other legally separate organizations for which the nature and significance of their relationship with the Municipality may be such that exclusion of their basic financial statements from those of the Municipality would cause the Municipality's basic financial statements to be misleading or incomplete.

The Municipality's management has concluded that, based on the criteria set forth by GASB Statement No. 14 - *The Financial Reporting Entity* (GASB No. 14) and GASB Statement No. 39 - *Determining Whether Certain Organizations are Component Units* (GASB No. 39), there are no legally separate entities or organizations that should be reported as component units of the Municipality as of June 30, 2012 nor for the year then ended.

c) *Government-wide Financial Statements*

The accompanying GWFS are composed of: (1) the statement of net assets and (2) the statement of activities. These financial statements do not report fund information but rather report information of all of the Municipality's governmental activities. These statements are aimed at presenting a broad overview of the Municipality's finances through reporting its financial position and results of operations as a whole, using methods that are similar to those used by most private businesses.

The focus of the GWFS is not on compliance with budgets, regulatory requirements or on the use of available or currently expendable financial resources (referred to as fiscal accountability), but on operational accountability information about the Municipality as a single economic unit. Operational accountability is the Municipality's responsibility to report to the extent to which it has met its operating objectives efficiently and effectively, using all resources available for that purpose. It focuses on the Municipality's principal operating objective, which is to provide services to its citizens.

The accompanying statement of net assets provides short-term and long-term information about the Municipality's financial position and condition by presenting all of the Municipality's assets and liabilities, with the difference between these two items reported as "net assets" (equity). This statement assists management in assessing the level of services that can be provided by the Municipality in the future, and its ability to meet its obligations as they become due. In addition,

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this statement reports the extent to which the Municipality has invested in capital assets, including infrastructure, and discloses legal and contractual restrictions on resources.

Net assets are classified in the accompanying statement of net assets within the following three categories:

- **Invested in capital assets, net of related debt** – These consist of capital assets, net of accumulated depreciation and amortization, reduced by the outstanding balances of bonds, notes and other debt that are attributed to the acquisition, construction or improvement of those assets. For the purposes of determining the outstanding debt attributed to capital assets, the total long-term debt related to the acquisition, construction or improvement of capital assets have been reduced by any related unspent debt proceeds and any related unamortized debt issuance costs.
- **Restricted net assets** – These consist of net assets restricted by external parties (such as creditors, grantors, contributors, laws or regulations of other governments, etc.), or net assets for which constraints are imposed by constitutional provisions or enabling legislation. Enabling legislation is defined as legislation that authorizes the Municipality to assess, levy, charge or otherwise mandate payment of resources (from external resource providers). Enabling legislation establishes restrictions if it includes a legally enforceable requirement that those resources be used only for the specific purposes stipulated in the legislation.

The classification of restricted net assets identifies resources that have been received or earned by the Municipality with an explicit understanding between the Municipality and the resource providers that the resources would be used for specific purposes. Grants, contributions and donations are often given under those kinds of conditions. Bond indentures also often limit the use of bond proceeds to specific purposes.

Internally imposed designations of resources, including earmarking, are not reported as restricted net assets. These designations consist of management's plans for the use of resources, which are subject to change at the discretion of the Municipal Legislature.

- **Unrestricted net assets** – These consist of net assets that are neither externally or legally restricted, nor invested in capital assets. However, unrestricted net assets often are designated to indicate that management does not consider them to be available for general operations. Unrestricted net assets often have constraints that are imposed by management, but can be removed or modified.

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

The accompanying statement of activities presents the results of the Municipality's operations by showing how the Municipality's net assets changed during the year ended June 30, 2012, using a net (expense) revenue format. This statement presents the cost of each function/program as well as the extent to which each of the Municipality's functions, programs or other services either

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contributes to or draws from the Municipality's general revenues (such as property taxes, municipal license taxes, construction excise taxes, etc.).

A function/program describes a group of activities that are aimed at accomplishing a major service or regulatory responsibility. The functions/programs reported in the accompanying basic financial statements are: (1) general government, (2) urban and economic development, (3) public safety, (4) health and sanitation, (5) culture, recreation and education and (6) welfare and housing assistance. The governmental operations of the Municipality's departments and operational units are classified within the following functions/programs in the accompanying basic financial statements:

General Government:

- Municipal Legislature
- Mayor's Office
- Department of Finance and Budget
- Department of Human Resources
- Department of Municipal Secretary
- Department of Internal Audit
- Department of Public Relations

Public Works:

- Department of Public Works
- Department of planning and development
- Department of Recycling Services

Public Safety:

- Department of Municipal Police
- Office of Emergency Management

Health and Welfare:

- Department of Health
- Department of Elderly Affairs
- Department of Service to Citizen

Culture and Recreation:

- Department of Recreation and Sports
- Department of Art, Culture and Tourism

The statement of activities demonstrates the degree to which program revenues offset direct expenses of a given function/program or segments. Direct expenses are those that are clearly identifiable with a specific function, segment or operational unit. This statement reports revenues in two broad categories: (1) program revenues and (2) general revenues.

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Program revenues are generated directly from a program itself or may come from parties outside the Municipality's taxpayers or citizens. In the statement of activities, program revenues reduce the costs (expenses) of the function/program to arrive at the net cost of the function/program that must be financed from the Municipality's general revenues. The accompanying statement of activities separately reports the following categories of program revenues:

- **Charges for services** – These generally consist of exchange or exchange-like transactions involving charges to customers or applicants who purchase, use or directly benefit from the goods, services or privileges provided, or are otherwise directly affected by the services. These include fees charged for specific services, charges for licenses and permits, and fines and forfeitures, among others.
- **Program-specific capital and operating grants and contributions** – These consist of transactions that are either mandatory or voluntary non-exchange transactions with other governments, organizations, or individuals that restrict the resources for use in a particular program. Capital grants and contributions consist of capital assets or resources that are restricted for capital purposes – to purchase, construct or renovate capital assets associated with a specific program. Operating grants and contributions consist of resources that are required to be used to finance the costs of operating a specific program or can be used either for operating or capital purposes of a specific program. Restricted capital and operating grants and contributions are program revenues because they are specifically attributable to a program and reduce the net expense of that program to the Municipality. They are reported net of estimated uncollectible amounts.

General revenues are the default category for revenues. It includes all revenues and gains that do not meet the definition of program revenues. Property taxes, municipal license taxes, sales taxes and construction excise taxes are reported as general revenues. All other nontax revenues (including unrestricted investment earnings, grants and contributions not restricted for specific programs and miscellaneous revenues) that do not meet the definition of program revenues are classified as general revenues. Resources that are dedicated internally by the Municipality are reported as general revenues rather than as program revenues. All general revenues are reported net of estimated uncollectible amounts, which are recorded as reduction of revenues rather than as expenses.

The *general government* function/program reported in the accompanying statement of activities, includes expenses that are, in essence, indirect or overhead expenses of the Municipality's other functions/programs. Even though some of these costs have been charged to other funds in the governmental fund financial statements as indirect cost allocations permitted under some federal programs, the Municipality has reported these indirect expenses as direct expenses of the general government function. Accordingly, the Municipality does not allocate general government (indirect) expenses to other functions.

The effects of all interfund governmental activities (revenues, expenditures and other financing sources/uses among governmental funds) have been removed from the accompanying statements of net assets and activities.

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The Municipality classifies all of its activities as governmental activities in the accompanying GWFS. These are activities generally financed through taxes, intergovernmental revenues and other non-exchange revenues that can be used to support the Municipality's programs or services. These governmental activities are also generally reported in the governmental fund financial statements.

The Municipality has no fiduciary activities, which are those in which the Municipality would be holding or managing net assets for specific individuals or other external parties in accordance with trust agreements or other custodial arrangements. In addition, the Municipality has no operations or activities that are primarily financed and operated in a manner similar to private business enterprises, where the costs of providing goods or services to the general public is financed primarily through user charges.

d) Governmental Fund Financial Statements

The accompanying GFFS are composed of: (1) the balance sheet – governmental funds and (2) the statement of revenues, expenditures and changes in fund balances – governmental funds. These financial statements report the financial position and results operations of the Municipality's governmental funds by presenting sources, uses and balances of current financial resources. Some of these financial statements have a budgetary orientation and focus primarily on: (1) the Municipality's major funds, as defined below, (2) the fiscal accountability and (3) the individual parts of the Municipality's government. Fiscal accountability represents the Municipality's responsibility to justify that its actions in the current year have complied with public decisions concerning the raising and spending of public moneys in the short term (one fiscal year).

Each governmental fund is considered an independent fiscal entity accounted for within a set of self-balancing accounts that comprise its assets, liabilities, fund equity or deficit, revenue and expenditures. The accompanying GFFS segregate governmental funds according to their intended purpose and are used in demonstrating compliance with legal, financial and contractual provisions. The minimum number of governmental funds is maintained consistent with legal and self-imposed managerial requirements established by the Municipality. For financial reporting purposes, the Municipality classifies its governmental funds within the following categories:

- **General fund** – The general fund is the Municipality's main operating fund and a major governmental fund, as defined below, used to account for all financial resources and governmental activities not accounted for and reported in another fund. It is presumed that the Municipality's governmental activities have been reported in the general fund except for transactions for which one of the following compelling reasons has required the use of another fund: (1) legal requirements, (2) GAAP requirements or (3) the demands of sound financial administration requiring the use of a governmental fund other than the general fund.
- **Special revenue funds** – The special revenue funds are major and non-major governmental funds, as defined below, used by the Municipality to account for the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service and capital projects. The uses and limitations of each special revenue fund are specified by municipal ordinances or federal and state statutes. However, resources

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restricted to expenditure for purposes normally financed from the general fund are reported in the Municipality's general fund provided that all applicable legal requirements are appropriately satisfied. In this case, a special revenue fund to account for such kind of transactions will be used only if legally mandated.

- **Debt service fund** – The debt service fund is a major governmental fund, as defined below, used by the Municipality to account for all financial resources that are restricted, committed, or assigned to expenditure for principal and interest; for (1) bonds payable for which debt service payments are legally mandated to be accounted for in a debt service fund and/or (2) bonds payable or any general long-term debt for which the Municipality is being accumulating financial resources in advance to pay principal and interest payments maturing in future years. During the fiscal year ended June 30, 2012, the financial activity accounted for in the debt service fund was specifically related to bonds payable.

The outstanding balance of general long-term obligations for which debt service payments do not involve the advance accumulation of resources (such as notes payable, obligations under capital leases, accrued compensated absences, and claims and judgments) are only accounted for in the accompanying statement of net assets. The debt service payments of such debts, as applicable, are generally accounted for in the general fund.

- **Capital projects funds** – Capital projects funds are major and non-major governmental funds, as defined below, used to account for all financial resources that are restricted, committed, or assigned to expenditure for capital outlays. Significant capital outlays financed from proceeds of general obligation, public improvement or special obligation bonds are accounted for also in the capital projects funds.

The capital projects funds has been used only for major capital acquisitions, construction or improvement activities that would distort financial resources trend data if not reported separately from the other Municipality's operating activities. The routine purchases of minor capitalizable assets (such as furniture, office equipment, vehicles and other minor capital assets or improvements) have been reported in the governmental fund from which financial resources were used for the payment.

The focus of the GFFS is on major governmental funds, which generally represent the Municipality's most important funds. Accordingly, the Municipality is required to segregate governmental funds between major and non-major categories within the GFFS. Major individual governmental funds are reported individually as separate columns in the GFFS, while data from all non-major governmental funds are aggregated into a single column, regardless of fund type.

By definition, the Municipality's general fund is always considered a major governmental fund for financial reporting purposes. In addition, any other fund is considered a major fund for financial reporting purposes if its total assets, liabilities, revenues or expenditures of that individual governmental fund are at least 10 percent of the corresponding element total (assets, liabilities, revenues or expenditures) for all governmental funds. For the purposes of applying the aforementioned major fund criteria, no eliminations of interfund balances have been made. Total revenues for these purposes means all revenues, including operating and nonoperating revenues (net of allowances), except for other financing sources. Total expenditures for these

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purposes mean all expenditures, including operating and nonoperating expenditures, except for other financing uses.

Based on the aforementioned criteria, the Municipality's major governmental funds reported in the accompanying governmental fund financial statements are: (1) the general fund, (2) special revenue fund – Head Start, (3) the capital project fund – local, state and federal grants, and (4) debt service fund.

General fund – The general fund is the Municipality's main operating fund used to account for all financial resources and governmental activities not accounted for and reported in another fund.

Special Revenue Fund – Head Start - Is the accounting entity in which revenues derived from the federal agency are used to provide comprehensive health, educational, nutritional, social, and other developmental services primarily to economically disadvantaged preschool children (ages 3 to 5) and infants and toddler (birth through age 3) so that the children will attain school readiness.

Capital Project Fund - Local, State and Federal Grants - is the accounting entity in which revenues derived from local funds, state and federal grants or other restricted revenue sources related to capital projects, is accounted for. The uses and limitations of each capital project fund are specified by Municipality ordinances or federal and state statutes.

Debt service fund – The debt service fund is used by the Municipality to account for all financial resources that are restricted, committed, or assigned to expenditure for principal and interest; for (1) bonds payable for which debt service payments are legally mandated to be accounted for in a debt service fund and/or (2) bonds payable or any general long-term debt for which the Municipality is being accumulating financial resources in advance to pay principal and interest payments maturing in future years.

e) **Measurement Focus and Basis of Accounting**

Government-wide financial statements – The accompanying GWFS are prepared using the economic resources measurement focus and the accrual basis of accounting. Subject to the additional rules and limitations detailed below, revenues (including interest income) are generally recorded when earned and expenses are generally recorded when a liability is incurred, regardless of the timing of related cash flows.

All revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are generally recorded when the exchange takes place. In exchange transactions, each party to the transaction receives and gives up essentially equal values.

An exchange-like transaction is one in which there is an identifiable exchange and the values exchanged, though related, may not be quite equal. Nevertheless, the exchange characteristics of the exchange-like transaction are strong enough to justify treating it as an exchange for accounting purposes (examples include fees for licenses and permits, charges for services, and miscellaneous revenues, which are recorded as revenues when collected because they are generally not measurable until actually received).

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All revenues, expenses, gains, losses and assets resulting from nonexchange transactions are recorded using the criteria set forth by GASB Statement No. 33, *Accounting and Financial Reporting for Nonexchange Transactions* (GASB No. 33), which the Municipality adopted on July 1, 2003. GASB No. 33 established accounting and reporting standards for nonexchange transactions involving cash and financial or capital resources (for example, most taxes, grants and private donations). In a nonexchange transaction, the Municipality gives (or receives) value without directly receiving (or giving) equal value in return. This is different from an exchange transaction, in which each party receives and gives up essentially equal values. According to GASB No. 33, the Municipality groups its nonexchange transactions into the following four classes in the accompanying basic financial statements: (a) derived tax revenues, (b) imposed nonexchange revenues, (c) government mandated nonexchange transactions, and (d) voluntary nonexchange transactions.

In the case of derived tax revenue transactions (such as municipal license taxes), which result from assessments the Municipality places on exchange transactions, receivables and revenues are recorded when the underlying exchange has occurred (that generally is, when the taxpayers' net sales or revenues subject to tax take place).

In the case of imposed non-exchange revenue transactions (such as property taxes), which result from assessments made by the Municipality on nongovernmental entities, including individuals, other than assessments on exchange transactions, receivables are generally recorded in the period when an enforceable legal claim has arisen. Property taxes are generally recorded as revenues (net of amounts considered not collectible) in the period when resources are required to be used or the first period that the use of the resources is permitted.

Government-mandated non-exchange transactions (such as grants and contributions) result when a government at one level (such as the federal or state government) provides resources to another government (such as the Municipality), and the provider government requires the recipient government to use those resources for a specific purpose or purposes established in the provider's enabling legislation. In these types of transactions, receivables and revenues are generally recorded as follows:

- For reimbursement-type (commonly known as "expenditure-driven awards"), receivables and revenues are recorded when all eligibility requirements imposed by the provider have been met. The Municipality must expend resources on the specific purpose or project before the provider reimburses any amounts. Revenue is, therefore, generally recognized as qualifying reimbursable expenditures are incurred.
- For other types of grants (mainly grants and contributions with purpose restrictions but with no time requirements), receivables and revenues are recorded when all applicable eligibility requirements are met. When the provider is a government (including the government of the United States of America) the applicable recognition period for both, the provider and the recipient, is the provider's fiscal year and begins on the first day of that year.

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Voluntary non-exchange transactions (such as donations and certain grants and entitlements) result from legislative or contractual agreements, other than exchanges, entered into willingly by two or more parties. In these types of transactions, receivables and revenues are generally accounted for in the same manner as government-mandated non-exchange transactions discussed above.

Receipts of any type of revenue sources collected in advance for use in the following period are recorded as deferred revenues.

Events that are neither exchange nor non-exchange transactions are recorded when it is probable that a loss has been incurred and the amount of loss is reasonably estimable.

According to GASB No. 34, all general capital assets and the unmatured long-term liabilities are recorded only in the accompanying statement of net assets. The measurement focus and the basis of accounting used in the accompanying GWFS differ significantly from the measurement focus and basis of accounting used in the preparation of the accompanying governmental fund financial statements. Therefore, the accompanying governmental fund financial statements include reconciliations, as detailed in the accompanying table of contents, to better identify the relationship between the GWFS and the governmental fund financial statements.

Governmental fund financial statements – The accompanying GFFS are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are generally recognized as soon as they are both measurable and available. Revenues are generally considered to be available when they are collectible within the current year or soon enough thereafter to pay liabilities of the current year. For this purpose, the Municipality considers most revenues to be available if collected within 90 days after June 30, 2012, except for property taxes for which the availability period is 60 days. Revenue sources not meeting this availability criterion or collected in advance are recorded as deferred revenues at June 30, 2012. The principal revenue sources considered susceptible to accrual include property taxes, municipal license taxes, intergovernmental grants and contributions and interest income. These principal revenue sources meet both measurability and availability criteria in the accompanying GFFS, except for amounts recorded as deferred (earned and unavailable) revenues.

In a manner similar to the GWFS, but subject to and limited by the availability criteria discussed above, all revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are also generally recorded when the exchange takes place. Accordingly, fees for licenses and permits, charges for services and miscellaneous revenues are recorded as revenues when collected because they are generally not measurable until actually received.

All revenues, expenses, gains, losses and assets resulting from non-exchange transactions are recorded in a similar manner to the GWFS, using the previously discussed criteria set forth by GASB No. 33 for non-exchange transactions, but subject to and limited by the availability criteria discussed above. Accordingly, property tax and municipal license tax receivables are also generally recorded in the fiscal year when an enforceable legal claim has arisen while property tax and municipal license tax revenues (net of amounts considered not collectible) are also generally recorded in the fiscal year when resources are required to be used or the first fiscal year

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that the use of the resources is permitted. Receivables and revenues from reimbursement-type grants, contributions, donations and entitlements are also generally recorded as qualifying reimbursable expenditures are incurred, while receivables and revenues from other types of grants are recorded when all eligibility requirements imposed by the provider have been met.

Interest income is recorded when earned only if collected within 90 days after year-end since these would be considered both measurable and available.

Pursuant to the provisions of GASB Interpretation No. 6, *Recognition and Measurement of Certain Liabilities and Expenditures in Governmental Fund Financial Statements* (GASB No. 6), in the absence of an explicit requirement (i.e., the absence of an applicable modification, discussed below) the Municipality generally accrues a governmental fund liability and an expenditure (including salaries, professional services, supplies, utilities, etc.) in the period in which the government incurs the liability, to the extent that these liabilities are normally expected to be liquidated with current available financial resources. GASB No. 6 modified the recognition criteria for certain expenditures and liabilities reported under the modified accrual basis of accounting prior to GASB No. 34, and clarified a number of situations in which the Municipality should distinguish between governmental fund liabilities and general long-term liabilities. Therefore, the accompanying balance sheet – governmental funds generally reflects assets that will be converted into cash to satisfy current liabilities. Long-term assets (except for accounts receivables and inter-fund advances) and those assets that will not be converted into cash to satisfy current liabilities are generally not accounted for in the accompanying balance sheet – governmental funds. At the same time, long-term liabilities (generally, those unmatured that will not require the use of current financial resources to pay them) are not accounted for in the accompanying balance sheet – governmental funds.

Modifications to the accrual basis of accounting in accordance with GASB No. 6 include:

- Principal and interest on bonds payable are recorded when they mature (when payment is due), except for principal and interest due on July 1, 2012, which have been recorded as governmental fund liabilities at June 30, 2012, which is the date when resources are available in the debt service fund (generally, June 30).
- Notes payable, obligations under capital leases, compensated absences, and amounts subject to accrued claims and judgments under litigation are recorded only when they mature (when payment is due).
- Certain accrued liabilities not due and payable or not normally expected to be liquidated with current available and expendable financial resources are recorded in the accompanying statement of net assets. Such liabilities are recorded in the governmental funds when they mature.
- Executory purchase orders and contracts are recorded as assignments of fund balance in the governmental funds FFS.

Liabilities outside the bounds of these exceptions or modifications are reported as governmental fund liabilities when incurred (including salaries, professional services, supplies, utilities, etc.)

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since these liabilities normally are paid in a timely manner and in full from current financial resources.

The measurement focus of the GFFS is on decreases in net financial resources (expenditures) rather than expenses. Most expenditures are measurable and are recorded when the related governmental fund liability is incurred. Allocation of costs, such as depreciation and amortization, are recorded in the accompanying statement of activities, but are not recorded in the accompanying GFFS.

Under the financial reporting model established by GASB No. 34, all general capital assets and the unmatured long-term liabilities (determined using the modified accrual basis of accounting) are no longer reported in account groups within the governmental fund balance sheet but are incorporated into the accompanying statement of net assets since July 1, 2003.

f) Stewardship, Compliance and Accountability

Budgetary Control

According to the Autonomous Municipalities Act of the Commonwealth of Puerto Rico, the Mayor and its Administrative Cabinet prepare annual budgets each fiscal year for the Municipality's general fund and debt service fund. Such legally adopted budgets are based on expected expenditures by program and estimated resources by source for both funds. The annual budgets are developed using elements of performance-based program budgeting and zero-based budgeting, and include estimates of revenues and other resources for the ensuing fiscal year under laws and regulations existing at the time the budget is prepared.

The Mayor must submit an annual budgetary resolution project (the Project) to the Commissioner of Municipal Affairs of Puerto Rico (the Commissioner) and the Municipal Legislature no later than each May 10 and May 31, respectively. The Commissioner preliminarily verifies that the Project complies with all the applicable laws and regulations and may provide comments and suggestions to the Mayor on or before each June 15.

The Municipal Legislature has 10 business days, up to June 15, to discuss and approve the Project with modifications. The Municipal Legislature may amend the budgets submitted by the Mayor but may not increase any items so far to cause a deficit without imposing taxes or identifying other sources of revenue to cover such deficit. After the Municipal Legislature modifies and preliminarily approves the Project, the modified Project is sent back to the Mayor for his approval or rejection within 6 days. The Mayor may decrease or eliminate any line item but may not increase or insert any new line item in the budgets. The Mayor may also veto the budgets in their entirety and return it to the Municipal Legislature with his objections. If the Mayor rejects the Project, the Municipal Legislature will have up to 8 days to adopt or reject the recommendations or objections of the Mayor. The approved Project is sent again to the Mayor, which then would have 3 days to sign and approve it.

If the budgets are not adopted prior to the end of the deadlines referred to above, the annual budgets for the preceding fiscal year, as approved by the Legislature and the Mayor, are automatically renewed for the ensuing fiscal year until the Municipal Legislature and the Mayor

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approve new budgets. This permits the Municipality to continue making payments for its operations and other purposes until the new budgets are approved.

The annual budgets may be updated for any estimate revisions as well as year-end encumbrances and may include any additional information requested by the Municipal Legislature. The Mayor may request subsequent amendments to the approved budgets, which are subject to the approval of the Municipal Legislature.

The Municipality's Department of Finance and Budget has the responsibility to ensure that budgetary spending control is maintained. For day-to-day management control, expenditures plus encumbrances may not exceed budgeted amounts at the expenditure-type level of each cost center (activity within a program within a fund). The Mayor may transfer unencumbered appropriations within programs within funds. The Municipal Legislature may transfer amounts among programs within and among funds.

The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriation) is at the functions/program level (general government, urban and economic development, public safety, health and sanitation, culture, recreation and education, and public housing and welfare) within a fund.

Under the laws and regulations of the Commonwealth, the appropriations made for any fiscal year shall not exceed the total revenue, including available surplus, estimated for said fiscal year unless the imposition of taxes sufficient to cover said appropriations is provided.

Budgetary Accounting

The Municipality's annual budgets are prepared under the budgetary (statutory) basis of accounting, which is not in accordance with GAAP.

Under the budgetary basis of accounting, revenue is generally recognized when cash is received. Short-term and long-term borrowings may be used to finance budgetary excess of expenditures over revenues.

The Municipality uses encumbrance accounting to record the full amount of purchase orders, contracts and other commitments of appropriated resources as deductions from the appropriation prior to actual expenditure. In the governmental funds, encumbrance accounting is a significant aspect of budgetary control. Accordingly, expenditures are generally recorded when the related expenditure is incurred or encumbered. Available appropriations and encumbrances are established to lapse one year after the end of the fiscal year. Amounts required to settle claims and judgments against the Municipality, and certain other liabilities, are not recognized until they are encumbered or otherwise processed for payment. Unencumbered appropriations and encumbrances lapse at year-end. Other appropriations, mainly capital projects 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 accompanying budgetary comparison schedule provides information about the general fund's original budget, the amendments made to such budget, and the actual general fund's results of

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operations under the budgetary basis of accounting for the fiscal year ended June 30, 2012. Further details of the Municipality's budgetary control at the legal level may be obtained from the Budgetary Liquidation Report for the fiscal year ended June 30, 2012. Copies of that report may be obtained by writing to the Municipality's Director of Finance and Budget.

Accounting principles applied for purposes of developing data on a budgetary basis differ significantly from those used to present the governmental fund financial statements in conformity with GAAP. Accordingly, the accompanying budgetary comparison schedule is accompanied by a reconciliation of the differences between the budgetary basis and GAAP actual amounts.

The Municipality does not legally adopt budgets for the state legislative joint resolutions capital fund. The financial resources received by these funds are not subject to budgeting by the Municipality since the resources received each year from the respective grantors varies from year to year, and the respective amounts are granted at their discretion.

g) *Unrestricted and Restricted Deposits*

The Municipality's deposits are composed of cash on hand, demand deposits and cash equivalents in: (1) commercial banks, (2) the Government Development Bank for Puerto Rico (GDB), a governmental bank and a major component unit of the Commonwealth, who is statutorily designated as fiscal agent of the Municipality, and (3) the Municipal Revenue Collection Center (CRIM, by its Spanish acronyms), a governmental entity responsible for the imposition and collection of property taxes on behalf of all municipalities of Puerto Rico.

The Municipality follows the practice of pooling cash. The balance in the pooled cash account is available to meet current operating requirements. Under the laws and regulations of the Commonwealth, public funds deposited by the Municipality in commercial banks must be fully collateralized for the amounts deposited in excess of the federal depository insurance generally provided by the Federal Deposits Insurance Corporation (FDIC). All securities pledged as collateral are held by agents designated by the Secretary of the Treasury of the Commonwealth, but not in the Municipality's name.

Restricted assets include cash and cash equivalents in commercial banks, GDB and CRIM. These cash balances are classified as restricted assets since its use is limited for the specified purposes discussed below, which are established by applicable agreements or required by law.

Restricted cash with fiscal agent in the general and debt service funds represent property tax collections which are retained and restricted for the payment of the Municipality's debt service, as established by law. Restricted cash in fiscal agent in other governmental funds consists of unspent proceeds of bonds and notes, and the balance of interest and noninterest bearing accounts which are restricted for: (1) the acquisition, construction or improvement of major capital assets and the operations of federal and state funded programs.

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h) Unrestricted and Restricted Accounts and Notes Receivable

In the accompanying GWFS, receivables consist of all revenues earned but not collected at June 30, 2012. Major receivable balances for the governmental activities include property taxes municipal license and intergovernmental receivables.

Tax receivables in the general fund represent uncollected property taxes. Restricted tax receivables in the debt service fund consist of uncollected property taxes, which are restricted for the payment of the Municipality's debt service, as established by law.

Intergovernmental receivables are composed of: (1) amounts owed to the Municipality for reimbursement of expenditures incurred pursuant to federal and state funded programs (recorded in the general fund, special revenue funds and capital project funds), and (2) contributions in lieu of taxes from the Puerto Rico Electric Power Authority, recorded in the general fund.

These accounts receivables are stated net of estimated allowances for uncollectible accounts, which are determined, based upon past collection experience, historical trends, current economic conditions and the periodic aging of accounts receivable.

Activities among 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". Advances between funds, as reported in the GFFS, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

i) Capital Assets

Capital assets used in governmental activities include land and land improvements, buildings, structures and building improvements, machinery and equipment, furniture and fixtures, licensed vehicles, construction in progress, and infrastructure. These assets are capitalized and reported in the accompanying statement of net assets. Infrastructure assets are generally stationary in nature and include roads, bridges, streets and sidewalks, drainage systems and other similar assets.

The Municipality defines capital assets as assets with an individual cost of \$25 or more at the date of acquisition or construction, and with useful lives extending beyond one year. All assets with individual costs under \$25 or with useful lives not exceeding one year, are charged directly to expense in the accompanying statement of activities. In the governmental funds, all capital assets are recorded as expenditures.

In the statement of net assets, all capital assets are recorded at cost or estimated historical cost if actual cost was unavailable, except for donated capital assets, which are recorded at their estimated fair value at the date of donation.

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Major outlays for capital assets and improvements are capitalized in the statement of net assets as projects are constructed. The costs of normal maintenance and repairs that do not add value to the asset or materially extend capital asset lives are not capitalized.

Depreciation and amortization expense is recorded only in the government-wide statement of activities. However, there is no depreciation or amortization recorded for land and construction-in-progress. Depreciable capital assets are generally depreciated or amortized over their estimated useful lives under the straight – line method, except for machinery and equipment held under capital leases which is depreciated over the shorter of its estimated useful life or the lease term. The estimated useful lives of major capital asset categories are:

	<u>Years</u>
Land improvements	40
Buildings, structures and building improvements	40
Infrastructure	40
Licensed vehicles	5
Furniture and fixtures	5
Machinery and equipment, excluding those held under capital leases	3 to 5

Depreciation and amortization expense on capital assets are recorded as direct expenses of the function/program specifically identified with the asset. Depreciation and amortization of infrastructure is not allocated to various functions/programs but reported as direct expenses of the urban and economic development function.

j) *Deferred Revenues*

The Municipality reports deferred revenue on its GFFS and GWFS. In the GFFS, deferred revenue arises when:

- Potential revenue does not meet both the “measurable” and “available” criteria for revenue recognition in the current period. As previously discussed, available is defined as due (or past due) at June 30, and collected within 90 days (60 days for property taxes) thereafter to pay obligations due at June 30, or;
- The Municipality receives resources before it has a legal claim to them. In subsequent periods, when the revenue recognition criterion is met, the liability for deferred revenue is removed and revenue is recognized.

Deferred revenues at the government-wide level arise only when the Municipality receives resources before it has a legal claim to them.

k) *Compensated Absences*

Compensated absences are accounted for under the provisions of Statement No. 16, *Accounting for Compensated Absences*, issued by GASB (GASB No. 16). Compensated absences include paid time off made available to employees in connection with vacation, sick leave and compensatory time. The liability for compensated absences recorded in the accompanying

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statement of net assets is limited to leave that: (1) is attributable to services already rendered on or before June 30, 2012 and (2) is not contingent on a specific event (such as illness) that is outside the control of the Municipality and the employee. The liability for compensated absences includes salary-related costs, which are directly and incrementally related to the amount of salary paid to the employee (such as employer's share of social security taxes and medicare taxes).

The vacation policy of the Municipality is established by law and provides for the accumulation of regular vacations at a rate of 2.5 days per month (30 days per year) per employee. Employees accumulate regular sick leave at a rate of 1.5 days per month (18 days per year). Employees accumulate compensatory time at a rate of 1.5 times the overtime worked. All vacation and sick leave days accumulated by employees in excess of 30 days and 90 days, respectively, are paid to employees each year, if not consumed, as required by law. In the case of compensatory time, the excess of 240 hours is paid to employees each year, if not consumed.

Upon termination of employment, an employee receives compensation for all accumulated unpaid regular vacation leave at the current rate. In the case of regular sick leave, if the employee terminates his or her employment with the Municipality before reaching 10 years of services, such regular sick leave is not paid to the employee, if not consumed. Upon termination of employment, an employee does not receive compensation for compensatory time, if not consumed. After 10 years of services any regular sick leave balance is paid to the employee. Accumulated vacation time is fully vested to the employee at any time.

The liability for compensated absences is reported in the statement of net assets. A liability for compensated absences is reported in the GFFS only if they have matured, for example, as a result of employee resignations and retirements.

l) Long-term Debt

The long-term liabilities reported in the accompanying statements of net assets include the Municipality's bonds, notes, obligation under capital leases, compensated absences and legal claims and judgments.

All long-term debt to be repaid from governmental resources is reported as liabilities in the accompanying statement of net assets. Principal and interest payments on bonds due in July 1 of the following fiscal year are recorded as fund liabilities in the GFFS when resources are available in the debt service fund (generally at June 30). In the GFFS, the face amount of debt issued is reported as other financing sources when issued.

m) Accounting for Pension Costs

For the purpose of applying the requirements of GASB Statement No. 27, Accounting for Pensions by State and Local Government Employers (GASB No. 27), the Commonwealth of Puerto Rico is considered to be the sponsor of the Employees' Retirement System of the Government of Puerto Rico and Its Instrumentalities (ERS) and System 2000, the two retirement systems in which the employees of the Municipality participate. Accordingly, the Municipality is considered a participant and not a sponsor of these retirement systems since the majority of the participants in the aforementioned pension trust funds are part of the financial reporting entity of the Commonwealth. Accordingly, no portion of the net pension obligation (NPO) related to ERS

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has been allocated to the Municipality in the accompanying basic financial statements. The basic financial statements of the Commonwealth account for the total amount of the net pension obligation of ERS, including any amount that may be allocated to the Municipality.

According to GASB No. 27, the Municipality accounts for pension costs from the standpoint of a participant in a multiple-employer cost-sharing plan. Accordingly, pension costs recognized in the accompanying basic financial statements are equal to the statutorily required contributions, with a liability recorded for any unpaid required contributions.

n) Risk Management

The Municipality carries commercial insurance covering casualty, theft, tort claims and other losses. Insurance policies are negotiated by the Puerto Rico Treasury Department (the Treasury Department) on behalf of all municipalities of Puerto Rico. The Treasury Department pays the insurance premiums on behalf of the Municipality and then is reimbursed each year through monthly equal payments deducted from the Municipality's gross property tax collections made by CRIM.

The Municipality carries insurance coverage for death and bodily injuries caused by automobile accidents. This insurance is obtained through the Automobile Accidents Compensation Administration ("ACAA", by its Spanish acronym), a discretely component unit of the Commonwealth. This insurance is compulsory for all licensed vehicles used on public roads and highways in Puerto Rico. The annual premium is \$35 per licensed motor vehicle, which is paid directly to ACAA.

The Municipality obtains workers' compensation insurance coverage through the State Insurance Fund Corporation ("FSE" by its Spanish acronym), a component unit of the Commonwealth. This insurance covers workers against injuries, disability or death because of work or employment-related accidents, or because of illness suffered as a consequence of their employment. Workers' compensation insurance premiums are also paid through monthly deductions made by CRIM from the Municipality's gross property tax collections.

The Municipality obtains unemployment compensation, non-occupational disability, and drivers' insurance coverage for its employees through various insurance programs administered by the Commonwealth's Department of Labor and Human Resources (DOL). These insurance programs cover workers against unemployment and provide supplementary insurance coverage for temporary disability, or death because of work or employment-related accidents or because of illness suffered as a consequence of their employment. Unemployment compensation, non-occupational disability and drivers' insurance premiums are paid directly to DOL on a quarterly basis.

The Municipality also obtains medical insurance coverage for its employees. The current insurance policies have not been cancelled or terminated at June 30, 2012. In the past three years, the Municipality has not settled claims that exceeded insurance coverage.

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o) Fund Balances

On July 1, 2010, the Municipality adopted the provisions of GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions No. 54* (GASB No. 54). GASB No. 54, which enhanced the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied. Also, this statement establishes fund balance classifications that comprise a hierarchy upon use of the resources reported in governmental funds.

Pursuant to the provisions of GASB No. 54, the accompanying GFFS report fund balance amounts that are considered restricted, committed, assigned, and unassigned, based on the relative strength of constraints that control how specific amounts can be spent. The Municipality has recorded the following types of fund balance classifications in the governmental funds:

- **Restricted** – Represent resources that can be spent only for the specific purposes stipulated by constitutional provisions, external resource providers (externally imposed by creditor or grantors), or through enabling legislation (that is, legislation that creates a new revenue source and restricts its use). Effectively, restrictions may be changed or lifted only with the consent of resource providers.
- **Committed** – Represent resources used for specific purposes, imposed by formal action of the Municipal's highest level of decision making authority and can only be changed by a similar action of said competent authority.
- **Assigned** – Represent resources intended to be used by the Municipality for specific purposes but do not meet the criteria to be classified as restricted or committed (generally executive orders approved by the Mayor). Intent can be expressed by the Municipal Legislature, the Mayor or by an official or body to which the Municipal Legislature delegates authority in conformity with the Law No. 81 of August 30, 1991, as amended, known as *Autonomous Municipalities Act of the Commonwealth of Puerto Rico* (Act No. 81). In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed.
- **Unassigned** – Represent the residual classification for the Municipality's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification is used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

Negative fund balance amounts are assigned amounts reduced to the amount that will raise the fund balance to zero. Consequently, negative residual amounts is restricted, committed and assigned fund balance classifications have been reclassified to unassigned fund balances.

The Municipality reports resources constrained to stabilization as a specified purpose (restricted or committed fund balance in the general fund) only if: (1) such resources meet the other criteria for those classifications, as described above and (2) the circumstances or conditions that signal the need for stabilization are identified in sufficient detail and are not expected to occur routinely. However, the Municipality has not entered into any stabilization-like arrangements, nor has set

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aside material financial resources for emergencies and has not established formal minimum fund balance amounts as of and for the fiscal year ended June 30, 2012.

When an expenditure is incurred for purposes for which amounts are available in multiple fund balance classifications, the Municipality uses restricted resources first, and then unrestricted resources. Within unrestricted resources, the Municipality generally spends committed resources first, followed by assigned resources, and then unassigned resources.

p) Interfund Activities

The Municipality has the following types of reciprocal and non-reciprocal inter-fund activities recorded among governmental funds in the accompanying GFFS:

- **Inter-fund loans** – Represent resources (assets) provided by one governmental fund to other governmental fund with a requirement and commitment for repayment (reimbursement), which are recorded as “*due from*” in the lender governmental fund and “*due to*” in the borrower governmental fund. For amounts not expected to be collected, inter-fund receivables/payables are reduced to their estimated realizable (settlement) value, and the portion of the inter-fund loan that is not expected to be repaid is reported as a “*transfer-in*” from the governmental fund that provided the loan.
- **Inter-fund transfers (transfers-in/(out))** – Represent flows of assets (permanent reallocation of financial resources among governmental funds) without equivalent flows of assets in return and without a requirement for repayment. Transfers are reported as “*other financing uses*” in the governmental fund making transfers and as “*other financing sources*” in the governmental fund receiving transfers.
- **Inter-fund reimbursements** – Represent repayments (reimbursements) from the governmental fund responsible for particular expenditures or expenses to the governmental fund that initially paid for them.

In the GFFS, inter-fund activity has not been eliminated, as permitted by GAAP.

q) Use of Estimates

The preparation of the accompanying basic financial statements in conformity with GAAP requires management to make significant estimates and assumptions that affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the basic financial statements, and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

r) Future Adoption of Accounting Pronouncements

The GASB has issued the following standards that have effective dates after June 30, 2012:

- GASB Statement No. 60, *Accounting and Financial Reporting for Service Concession Arrangements* (GASB No. 60). The objective of this Statement is to improve financial reporting by addressing issues related to service concession arrangements (SCAs), which are a type of public-private or public-public partnership. This Statement is effective for periods beginning after December 15, 2011.

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- GASB Statement No. 61, *The Financial Reporting Entity: Omnibus—an amendment of GASB Statements No. 14 and No. 34* (GASB No. 61). The objective of this Statement is to improve financial reporting for a governmental financial reporting entity. The requirements of Statement No. 14, *The Financial Reporting Entity*, and the related financial reporting requirements of Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, were amended to better meet user needs and to address reporting entity issues that have arisen since the issuance of those Statements. This Statement is effective for periods beginning after June 15, 2012.
- GASB Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and IACPA Pronouncements*. The objective of this Statement is to incorporate into the GASB's authoritative literature certain accounting and financial reporting guidance that is included in the following pronouncements issued on or before November 30, 1989, which does not conflict with or contradict GASB pronouncements; 1) Financial Accounting Standard Board (FASB) Statements and interpretations, 2) Accounting Principles Board Opinions, 3) Accounting Research Bulletins of the American Institute of Certified Public Accountants' (AICPA) Committee on Accounting Procedure. This Statement is effective for periods beginning after December 15, 2011.
- GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, which establishes guidance for reporting deferred outflows of resources, deferred inflows of resources, and net position in a statement of financial position. The provisions of this Statement are effective for financial statements for periods beginning after December 15, 2011.
- GASB Statement No. 65, *Previously Reported as Assets and Liabilities*. The objective of this Statement establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources or inflows of resources, certain items that were previously reported as assets and liabilities. The provisions of this Statement are effective for financial statements for periods beginning after December 15, 2012.
- GASB Statement No. 66, *Technical Corrections-2012—an amendment of GASB Statements No. 10 and No. 62 (Issued 03/12)*. The objective of this Statement is to improve accounting and financial reporting for a governmental financial reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements, Statements No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, and No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. The provisions of this Statement are effective for financial statements for periods beginning after December 15, 2012.
- GASB Statement No. 67, *Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25 (Issued 06/12)*. The objective of this Statement is to improve financial reporting by state and local governmental pension plans. This Statement results from a comprehensive review of the effectiveness of existing standards of accounting and financial reporting for pensions with regard to providing decision-useful information, supporting

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assessments of accountability and interperiod equity, and creating additional transparency. This Statement replaces the requirements of Statements No. 25, *Financial Reporting for Defined Benefit Pension Plans and Note Disclosures for Defined Contribution Plans*, and No. 50, *Pension Disclosures*, as they relate to pension plans that are administered through trusts or equivalent arrangements (hereafter jointly referred to as trusts) that meet certain criteria. The requirements of Statements 25 and 50 remain applicable to pension plans that are not administered through trusts covered by the scope of this Statement and to defined contribution plans that provide postemployment benefits other than pensions.

- GASB Statement No. 68 *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27 (Issued 06/12)*. The primary objective of this Statement is to improve accounting and financial reporting by state and local governments for pensions. It also improves information provided by state and local governmental employers about financial support for pensions that is provided by other entities. This Statement results from a comprehensive review of the effectiveness of existing standards of accounting and financial reporting for pensions with regard to providing decision-useful information, supporting assessments of accountability and interperiod equity, and creating additional transparency. This Statement is effective for fiscal years beginning after June 15, 2014.
- GASB Statement No. 69 *Government Combinations and Disposals of Government Operations (Issued 01/13)* This Statement establishes accounting and financial reporting standards related to government combinations and disposals of government operations. As used in this Statement, the term government combinations includes a variety of transactions referred to as mergers, acquisitions, and transfers of operations. The requirements of this Statement are effective for government combinations and disposals of government operations occurring in financial reporting periods beginning after December 15, 2013, and should be applied on a prospective basis.

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

2. DEPOSITS

The Municipality maintains its deposits of cash in various commercial banks located in Puerto Rico, GDB and CRIM. Proceeds from all bonds and the funds related to certain federal grant awards are required by law to be held with GDB.

On July 1, 2004, the Municipality adopted the provisions of GASB Statement No. 40 (GASB No. 40), *Deposit and Investment Risk Disclosure, an Amendment to GASB Statement No. 3*. This statement requires that state and local governments disclose essential risk information about deposits and investments. The disclosure requirements cover four main areas: (1) credit risk, (2) interest rate risk, (3) custodial credit risk, (4) foreign exchange exposure.

- **Credit risk** – This is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. In compliance with the laws and regulations of the Commonwealth, the Municipality has adopted, as its custodial credit risk policy, the *Statement of Investment Guidelines for the Government of the Commonwealth of Puerto Rico*. Accordingly, the

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Municipality is only allowed to invest its obligations of the Commonwealth, obligations of the United States of America, certificates of deposit, commercial paper, bankers' acceptances or in pools of obligations of the Municipalities of Puerto Rico, which are managed by GDB. According to the aforementioned investment guidelines, the Municipality is not allowed to invest in marketable securities or any other type of investments for which credit risk exposure may be significant. Therefore, the Municipality's management has concluded that the credit risk related to any possible loss related to defaults by commercial banks on the Municipality's deposits is considered low at June 30, 2012.

- **Interest rate risk** – This is the risk that changes in interest rates of debt investments will adversely affect the fair value of an investment. The Municipality manages its exposure to declines in fair values by: (1) not including debt investments in its investments portfolio at June 30, 2012, (2) limiting the weighted average maturity of its investments to periods of three months or less and (3) keeping most of its banks deposits in interest bearing accounts generating interest at prevailing market rates. At June 30, 2012, the interest rate risk associated with the Municipality's cash and cash equivalent is considered low.
- **Custodial credit risk** – In the case of deposits, this is the risk that in the event of a bank failure, the Municipality's deposits may not be recovered. Pursuant to the *Statement of Investment Guidelines for the Government of the Commonwealth of Puerto Rico*, the balances deposited in commercial banks by the Municipality are insured by the Federal Deposit Insurance Corporation (FDIC), generally up to a maximum of \$250,000 per depositor. In addition, public funds deposited in commercial banks by the Municipality are fully collateralized for the amounts deposited in excess of the federal depository insurance. All securities pledged as collateral are held in the Municipality's name by the agents of the Commonwealth's Secretary of Treasury. Deposits of GDB, amounting to \$9,374,655 at June 30, 2012, are uninsured and uncollateralized. However, no losses related to defaults by GDB on deposit transactions have been incurred by the Municipality through June 30, 2012. It is management's policy to only maintain deposits in banks affiliated to FDIC to minimize the custodial credit risk, except for GDB. Therefore, the Municipality's management has concluded that at June 30, 2012, the custodial credit risk associated with the Municipality's cash and cash equivalents is considered low.
- **Foreign exchange risk** – This is the risk that changes in exchange rates will adversely affect the value of an investment or a deposit. According to the aforementioned investment guidelines, adopted by the Municipality, the Municipality is prevented from investing in foreign securities or any other types of investments for which foreign exchange risk exposure may be significant. Accordingly, management has concluded that the foreign exchange risk related to the Municipality's deposits is considered low at June 30, 2012.

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The Municipality's bank balance of deposits with financial institutions is categorized to provide an indication of the level of collateral risk assumed by the Municipality at June 30, 2012. Risk categories are described as follows:

	General fund	Special revenue fund Head Start	Capital project fund local, state & federal grants	Debt service fund	Nonmajor funds	Totals
Cash in commercial banks	\$ 9,927,675	363,501	1,353,045	-	3,550,584	\$ 15,194,805
Cash in GDB or CRiM, as fiscal agents	16,453	-	5,130,642	3,875,560	352,000	9,374,655
Total deposits	<u>\$ 9,944,128</u>	<u>363,501</u>	<u>6,483,687</u>	<u>3,875,560</u>	<u>3,902,584</u>	<u>\$ 24,569,460</u>

3. MUNICIPAL LICENSE TAXES

The Municipality is authorized by Law No. 81 to impose and collect municipal license taxes on all trade or business activities operated by any natural or legal person within the territorial area of Peñuelas. This is a self-assessed tax generally based on the business volume measured by gross sales. The Municipality establishes the applicable tax rates. At June 30, 2012, the municipal tax rates imposed by the Municipality were 1.50% for financing institutions and 0.40% for other types of taxpayers. Any taxpayers that have been granted with partial tax exemptions under any of the incentive tax laws of the Commonwealth ultimately pay municipal license taxes at reduced tax rates, generally between 60% and 90% under standard rates.

Each taxpayer must assess his/her corresponding municipal license tax by declaring his/her volume of business through a tax return to be filed every April 15 based on the actual volume of business generated in the preceding calendar year.

Taxpayers with a sales volume of \$3 million or more must include audited financial statements with their tax returns. The tax can be paid by the taxpayer in two equal installments due on July 15 and January 15, subsequent to the filing of the declaration.

The first installment of the tax covers the six-month period ended December 31, subsequent to the filing date of the declaration, while the second installment of the tax covers the six-month period ended June 30 of the subsequent calendar year. If a taxpayer elects to pay the tax in full on the filing date of the declaration (generally April 15), a 5% discount is granted automatically on the total tax amount due.

Any municipal license taxes collected in advance (that is, pertaining to a future period) are recorded as deferred revenues. Deferred municipal license tax revenues recorded in the accompanying GWFS and GFFS amounted to \$5,317,936 at June 30, 2012, which represents municipal licenses collected in advance for the taxable year 2012-2013.

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4. PROPERTY TAXES

The Municipality is authorized by Law No. 81 to impose and collect personal and real property taxes. Under the laws and regulations of the Commonwealth, personal property taxes can be imposed to any natural or legal person that at January 1 of each year is engaged in trade or business and is the owner of personal property used in trade or business.

Personal property taxes are self-assessed by taxpayers every year generally using the book value of personal property assets owned by the taxpayer at January 1 (assessment date) and reporting such taxable value through a personal property tax return filed on May 15 subsequent to the assessment date. The total personal property tax rate in force at June 30, 2012 was 6.33% (of which taxpayers pay 6.13% and 0.20% is reimbursed by the Department of Treasury). Real property taxes are assessed by CRIM. The assessment on real property is made every January 1 and is based on estimated current values of the property deflated to 1957 market prices. The total real property tax rate in force at June 30, 2012 was 8.33% (of which 8.13% is paid by taxpayers and 0.20% is also reimbursed by the Department of Treasury).

Residential real property occupied by its owner is exempt by law from property taxes on the first \$15,000 of the assessed value (at 1957 market prices). For such exempt amounts, the Department of Treasury assumes payment of the basic tax (4% and 6% for personal and real property, respectively) to the Municipality, except for property assessed of less than \$3,500 (at 1957 market prices), for which no payment is made.

CRIM is responsible for the billing and collections of real and personal property taxes on behalf of the Municipality. Prior to the beginning of each fiscal year, CRIM informs the Municipality of the estimated amount of property tax expected to be collected for the ensuing fiscal year. Throughout the year, CRIM advances funds to the Municipality based on the initial estimated collections. 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 each December 31. If CRIM remits to the Municipality property tax advances, which are less than the property tax actually collected, an additional property tax receivable is recorded at June 30. However, if advances exceed the amount actually collected by CRIM, an intergovernmental payable is recorded at June 30.

Law No. 81 provides for the levy of an annual special tax of 1.03% of the assessed value of all real and personal property not exonerated from taxation. Such special tax is levied and collected by CRIM. Collections of this special tax are remitted to the Commonwealth's debt service fund for payment of debt service on general obligations of the Commonwealth.

In addition, 1.50% of the total personal and real property taxes collected by CRIM is restricted for the Municipality's debt service requirements and is retained by GDB for such purposes.

The Additional Lottery System of the Commonwealth (the "Additional Lottery") is an operational unit reported as an enterprise fund of the Commonwealth, which currently operates several betting alternatives to the citizens of Puerto Rico. The Additional Lottery is required every year to distribute a portion of its excess of revenues over expenses as follows:

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
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- i. Thirty five percent (35%) of its net earnings (defined as the excess of revenues over expenses less an amount earmarked for the Fund for Rent and Home Improvement Subsidy Program for the Low-Income Qualifying Elderly) is earmarked to the municipalities of the Commonwealth, of which a maximum of \$26 million, on an annual basis, is distributed to the Municipal Equalization Fund held by CRIM to cover operating expenses and permanent improvements of the municipalities.
- ii. An additional amount not exceeding \$16 million, on an annual basis, is distributed to the Municipal Equalization Fund, provided it is within the 35% corresponding to the municipalities of the Commonwealth. When the accumulated municipal appropriations from the municipalities' Puerto Rico Health Reform are covered up to June 30, 1997, these resources will be assigned to the Health Insurance Administration, a component unit of the Commonwealth.

5. SALES TAX

On July 4, 2006, the Governor of Puerto Rico signed into law the Taxpayer Justice Act (Act No.117, H.B. 2193). The new law imposes a municipal sales tax at a rate of 1.5% (effective July 1, 2006) and the Commonwealth sales tax at the rate of 5.5%, with an effective date of November 15, 2006. Conversely, the Commonwealth of Puerto Rico eliminated the excise tax of 6.6% on some imports (taxes on cigarettes, liquor, and cars are still in effect) and implemented the sales and use tax ("sales tax") system. Accordingly with this law the municipal sales tax is administered at the local level, and the Commonwealth sales tax is administered through the Puerto Rico Treasury Department. Consequently, separate registration and filing forms are required of retailers.

In fiscal year 2007-2008, the Municipal Legislature of the Municipality of Peñuelas approved an Ordinance establishing a citizenship contribution of 1.0% over all business or personal transactions related to sale of goods and/or services made on the Municipalities boundaries. The resources collected due to this tax assessment will be used in local activities like improvements in health services, improvements in the control and management of solid waste disposal and recycling programs, public improvements, improvements of public safety, and maintenance of all public facilities of the Municipality.

Any person/corporation is required to register with each municipality in which it conducts commercial transactions and in the Puerto Rican Treasury to obtain a Retailer's Registration Certificate, exemption certificates, and tax returns forms. The retailers are required to file and send monthly sales tax returns by the 20th day following the month in which the tax was collected.

Also, on July 29, 2007, the Governor of Puerto Rico signed into Law an amendment of Act No. 117, H.B. 2193 known as Act No. 80. The most significant amendments were: first, to uniform the tax rate at 7% of which the municipalities will collect 1% and the Puerto Rico Treasury Department the other 6%, .05% of the 6% belongs to the municipality and it is distributed through three separate funds: Municipal Development Fund, Municipal Redemption Fund and Municipal Improvements Fund; secondly the establishment of a Local Commercial Rule and the elimination of source and nexus rules to impose the sale and use tax.

These funds are administered by the Government Development Bank for Puerto Rico. Finally, the Law restricts the use of the funds by the municipalities to certain specific activities.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

6. INTERGOVERNMENTAL RECEIVABLE AND PAYABLE

Intergovernmental receivables and payables recorded in the accompanying GWFS and GFFS are as follows:

	General Fund	Special Revenue Fund Head Start Fund	Other Governmental Funds	Total Governmental Funds	Statement of net assets
<i>Intergovernmental receivables:</i>					
Puerto Rico Office of the Commissioner of Municipal Affairs- Community Development Block Grants Program	\$ -	\$ -	\$653,236	\$653,236	\$653,236
Infrastructure Finance Administration	-	-	48,642	48,642	48,642
Puerto Rico Department of Labor – Act. No. 52	-	-	160,998	160,998	160,998
Puerto Rico Administration for Integral Care and Development of Children	-	\$369,404	-	369,404	369,404
Others	-	-	57,972	57,972	57,972
Total intergovernmental receivables	<u>\$ -</u>	<u>\$369,404</u>	<u>\$920,848</u>	<u>\$1,290,252</u>	<u>\$1,290,252</u>
<i>Intergovernmental payables:</i>					
Puerto Rico Department of Labor	\$334,803	-	-	\$334,803	\$334,803
Puerto Rico Aqueduct and Sewer Authority	19,025	-	-	19,025	19,025
Others	2,376	-	-	2,376	2,376
Total intergovernmental payables	<u>\$356,204</u>	<u>-</u>	<u>-</u>	<u>\$356,204</u>	<u>\$356,204</u>

Intergovernmental receivables and payables represent the pending settlements of the aforementioned intergovernmental transactions.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
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7. INTERFUND BALANCES

On July 1, 2003 the Municipality adopted the provisions of Statement No. 38, *Certain Financial Statement Note Disclosures, issued by the Governmental Accounting Standards Board*. This statement requires the disclosure of the flow of resources between funds and to assess the collectibility of interfund balances. Interfund balances at June 30, 2012 consisted of the following:

	Transfers-in:						
Transfers-out:	Debt service fund						
Major funds:							
General fund	\$				969,288		
Total	\$				969,288		
Due/advances to:	Special revenue fund- Head Start	Capital project fund- Local, State & Federal Grants	Nonmajor governmental funds		Special revenue fund - Local & State Grants	Special revenue fund - Other State Grants	Total
Major funds:							
General fund	\$ 555,496	\$ 29,151	\$ 315,804	\$ 68,837	\$ 969,288		
Total	\$ 555,496	\$ 29,151	\$ 315,804	\$ 68,837	\$ 969,288		

At June 30, 2012 all amounts due to among funds are considered collectible by the Municipality's management.

The principal purposes of inter-fund receivables and payables are to recognize in the outstanding balance of the loans granted, the effect of the practice of pooling cash in the current account, and to temporarily cover the payroll and other operating costs of several federally, and local and state funded programs.

The principal purposes of inter-fund transfers are to make a routinary transfer of resources from the general fund to the debt service fund to cover the principal and interest payment on certain bond. These debt service payments were made on January and July 2012.

Inter-fund receivables and payables represent the pending settlements of the aforementioned transfers at June 30, 2012.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

8. CAPITAL ASSETS

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

Depreciation and amortization of capital assets was charged to functions/activities in the accompanying government-wide statement of activities as follows:

<u>COST BASIS:</u>	Balance at June 30, 2011	Additions/ increases	Transfer in (out)	Balance at June 30, 2012
Cost basis of capital assets, not subject to depreciation and amortization:				
Land	\$ 659,123	-	-	\$ 659,123
Construction in progress	4,084,967	7,904,983	(4,084,967)	7,904,983
Total cost basis of capital assets, not subject to depreciation and amortization	<u>4,744,090</u>	<u>7,904,983</u>	<u>(4,084,967)</u>	<u>8,564,106</u>
Cost basis of capital assets, subject to depreciation and amortization:				
Buildings, structures and building improvements	21,621,235		612,738	22,233,973
Infrastructure	13,662,259		3,472,229	17,134,488
Land Improvements	228,502		-	228,502
Licensed vehicles	5,608,326	201,753	-	5,810,079
Machinery and equipment	2,303,386	140,140		2,443,526
Total cost basis of capital assets subject to depreciation and amortization	<u>43,423,708</u>	<u>341,893</u>	<u>4,084,967</u>	<u>47,850,568</u>
Total cost basis of capital assets	<u>\$ 48,167,798</u>	<u>8,246,876</u>	<u>-</u>	<u>\$ 56,414,674</u>
	Balance at June 30, 2011	Depreciation and Amortization Expense	Reclassifications	Balance at June 30, 2012
<u>ACCUMULATED DEPRECIATION AND AMORTIZATION:</u>				
Buildings, structures and building improvements	(5,463,137)	(712,388)	-	(6,175,525)
Infrastructure	(4,554,672)	(602,770)	-	(5,157,442)
Land Improvements	(168,184)	(10,242)	-	(178,426)
Licensed vehicles	(4,872,437)	(363,097)	-	(5,235,534)
Machinery and equipment	(1,906,592)	(219,372)		(2,125,964)
Total accumulated depreciation and amortization	<u>(16,965,022)</u>	<u>(1,907,869)</u>	<u>-</u>	<u>(18,872,891)</u>
CAPITAL ASSETS, NET	<u>\$ 31,202,776</u>			<u>\$ 37,541,783</u>
The depreciation expense is detailed as follow:				
General government				\$ 503,516
Public safety				74,120
Public works				614,886
Health and welfare				61,894
Culture recreation and education				466,960
Community development				174,117
Education				12,376
Total depreciation and amortization expense				<u>\$ 1,907,869</u>

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

9. EMPLOYEES RETIREMENT SYSTEM

a) Plan Description

The Municipality's employees participate in the Employees' Retirement System of the Government of Puerto Rico and its Instrumentalities (ERS), a cost-sharing multi-employer (as related to the Municipality's reporting entity) defined pension plan established by the Commonwealth. Substantially all full-time employees of the Commonwealth and substantially all municipalities are covered by ERS under the terms of Public Act No. 447 of May 15, 1951, as amended (Act No. 447). All regular and temporary employees of the Municipality become plan members of ERS at the date of employment, while it is optional for officers appointed.

ERS members, other than those joining it after March 31, 1990, are eligible for the benefits described below:

- **Retirement Annuity**

ERS members are eligible for a retirement annuity upon reaching the following age:

Policemen and firemen:	Other employees:
50 with 25 years of credited service	55 with 25 years of credited service
58 with 10 years of credited service	58 with 10 years of credited service

ERS members are eligible for monthly benefit payments determined by the application of the stipulated benefit ratios to the member's average compensation. Average compensation is computed based on the highest 36 months of compensation recognized by ERS. The annuity, for which a member is eligible, is limited to a minimum of \$300 per month and a maximum of 75 percent of the average compensation.

- **Merit Annuity**

ERS members are eligible for merit annuity with a minimum of 30 years or more of credited service. The annuity for which the plan member is eligible is limited to a minimum of 65 percent and a maximum of 75 percent of the average compensation.

- **Deferred Retirement Annuity**

A participating employee who ceases to be an employee of the Municipality after having accumulated a minimum of ten years of credited service qualifies for retirement benefits provided his/her contributions are left in ERS until reaching 58 years of age.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

- ***Coordinated Plan***

On the coordinated plan, by the time the employee reaches 65 years old and begins to receive social security benefits, the pension benefits are reduced by the following:

- (a) \$165 per month, if retired with 55 years of age and 30 years of credited service.
- (b) \$110 per month, if retired with less than 55 years of age and 30 years of credited service.
- (c) All other between \$82 and \$100 per month.
- (d) Disability annuities under the coordinated plan are also adjusted at age 65 and in some cases can be reduced over \$165 per month.

- ***Non-Coordinated Plan***

On the non-coordinated plan the participating employee and does not have any change on the pension benefits upon receiving social security benefits.

- ***Reversionary Annuity***

An ERS member, upon retirement, could elect to receive a reduced retirement annuity giving one or more benefit payments to his/her dependents. The life annuity payments would start after the death of the retiree for an amount not less than \$240 per year or greater than the annuity payments being received by the retiree.

- ***Occupational Disability Annuity***

A participating employee, who as a direct result of the performance of his/her occupation is totally and permanently disabled, is eligible for a disability annuity of 50 percent of the compensation received at the time of the disability.

- ***Nonoccupational Disability Annuity***

A participating employee, totally and permanently disabled for causes not related to his/her occupation and with no less than 10 years of credited service, is eligible for an annuity of 1.50 percent of the average compensation of the first 20 years of credited services, increased by 2 percent for every additional year of credited service in excess of 20 years.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

- ***Death Benefits***

Occupational:

- (a) **Surviving spouse** – annuity equal to 50 percent of the participating employee’s salary at the date of the death.
- (b) **Children** - \$10 per month for each child, minor or student, up to a maximum benefit per family of \$100.

Nonoccupational:

Beneficiary – the contributions and interest accumulated as of the date of the death plus an amount equal to the annual compensation at the time of the death.

Post-retirement:

Beneficiary with surviving spouse age 60 or over and a child, 18 or under, up to 30 percent (60 percent, if not covered under Title II of the Social Security Act) (increased to 50 percent effective January 1, 2005) of retiree’s pension or otherwise the excess, if any, of the accumulated contributions at the time of retirement over the total annuity benefits received before death, limited to a minimum of \$750.

- ***Refunds***

A participating employee who ceases his/her employment with the Municipality without the right to a retirement annuity has the right to a refund of the contributions to ERS plus any interest earned thereon.

- ***Cost of Living Adjustment for Pension Benefits***

Public Act No. 10 of May 21, 1992 (Act No. 10) provided for increases of 3 percent every three or more years of retirement. Act No. 10 requires further legislation to grant this increase every three years subject to the presentation of actuarial studies regarding its costs and the source of financing. To protect the financial health of ERS, the increase granted during 2001 and the one granted on January 1, 2005 are being financed by the Municipality and the other participating employers.

To avoid any economic impact on ERS, the employers are responsible for contributing to ERS the amounts to cover the benefit payments and the employer and employee contributions with respect to the participants covered until the participants reach the normal retirement age.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

- ***Amendment to Act No. 447 effective January 1, 2000 to create a Defined Contribution Plan***

On September 24, 1999, Public Act No. 305, an amendment to Act No. 447, was enacted to establish a defined contribution plan, known as System 2000, to cover employees joining ERS on or after January 1, 2000.

Employees that participated in the original plan as of December 31, 1999, had the opportunity to elect to either stay in the defined benefit plan or transfer to System 2000. Employees that joined the Municipality on or after January 1, 2000, were only allowed to become members of System 2000.

System 2000 is a hybrid defined contribution plan, also known as a cash balance plan. Under this new plan, there is a pool of plan assets, which is invested by the System, together with those of the cost-sharing multi-employer defined benefit plan. Neither the Commonwealth nor the Municipality guarantee benefits at retirement age. The annuity is based on a formula which assumes that each fiscal year the employee's contribution (with a minimum of 8.28 percent of the employee's salary up to a maximum of 10 percent) is invested as instructed by the employee in an account which either: (1) earns a fixed rate based on the two-year Constant Maturity Treasury Notes, (2) earns a rate equal to 75 percent of the return of the ERS' investment portfolio (net of management fees), or (3) earns a combination of both alternatives. Participants receive periodic account statements similar to those of defined contribution plans showing their accrued balances. Disability benefits are not granted under System 2000, rather are provided to those participants that voluntarily elect to participate in a private insurance long-term disability program. The employers' contributions (9.28 percent of the employee's salary) with respect to employees under System 2000 will continue and will be used to fund the cost-sharing multi-employer defined benefit plan.

System 2000 reduced the retirement age from 65 years to 60 for those employees who joined the current plan on or after January 1, 2000.

Historically, the state government of the Commonwealth of Puerto Rico has reported ERS and System 2000 in its basic financial statements as pension trust funds. Accordingly, the Commonwealth is currently assuming any actuarial deficiency that may exist or arise related to the Municipality's participating employees because ERS does not allocate to the Municipality any actuarial deficiencies pertaining to participating municipal employees. The Municipality is only required by law to make statutory contributions at the rates detailed below.

- ***Recent Amendments to Act No. 447***

The Senate and the House of Representatives of the Commonwealth of Puerto Rico have the authority for establishing or amending the contribution requirements of System 2000 by approving the necessary amendments or laws, subject to the final approval of the Governor of the Commonwealth of Puerto Rico.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

In June and July 2003, the Governor of the Commonwealth signed three Public Acts that provided the following certain benefits to retirees:

- (a) Increase in minimum monthly pension payments to \$300, effective January 1, 2005.
- (b) Triennial 3 percent increase in all pensions, effective January 1, 2005.
- (c) Increase in widow and/or beneficiaries to 50 percent of the benefit received by the deceased pensioner, effective January 1, 2005.

All the benefits granted will be funded through budgetary assignments in the Municipality's general fund with respect to its retired employees.

The Board of Trustees of ERS approved, effective November 17, 2003, an increase in the amount granted on personal loans to participating employees from \$3,000 to \$5,000.

b) Funding Policy

The contribution requirement to ERS is established by law and is not actuarially determined. These contributions are as follows:

Municipality and other employers	9.28 percent of applicable payroll
Employees:	
Coordination plan:	5.78 percent of gross salary up to \$6,600 per year, plus 8.28 percent gross salary in excess of \$6,600.
Supplementation plan:	8.28 percent of gross salary. This is the only choice available to policemen, firemen and mayors

The contribution requirement to System 2000 is also established by law and is not actuarially determined. These contributions are as follows:

Municipality and other employers	9.28 percent of applicable payroll
Employees:	5.78 percent of gross salary up to \$6,600 per year, plus 8.28 percent gross salary in excess of \$6,600.

c) Annual Contribution

The actual combined employer and employee contributions to ERS and System 2000 for the current and past two years, which are equal to the statutory required contributions, are as follows:

Type of Contribution	Contributions to Retirement Plan					
	June 30, 2012		June 30, 2011		June 30, 2010	
	Law 447	Reforma 2000	Law 447	Reforma 2000	Law 447	Reforma 2000
Required	\$233,254	\$219,810	\$209,557	\$192,252	\$ 233,583	\$189,309
Actual	\$233,254	\$219,810	\$209,557	\$192,252	\$ 233,583	\$189,309

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

10. LONG-TERM DEBT

The Municipality's Legislature is legally authorized to determine the contracting of debts of the Municipality. Nevertheless, the laws and regulations of the Commonwealth also provide that:

- Direct obligations of the Municipality (evidenced principally by bonds and notes) are backed by the full faith, credit and taxing power of the Municipality; and
- Direct obligations are not to be issued if the amount of the principal of, and interest on, such bonds and notes (and on all such bonds and notes issued thereafter) which are payable in any fiscal year, together with any amount paid by the Municipality in the preceding fiscal year on account of bonds or notes guaranteed by the Municipality, exceed 10 percent of the total assessed value of the property located within the Municipality plus the balance of the ad valorem taxes in the debt service fund, for bonds payable to be repaid with the proceeds of property taxes restricted for debt service.

In addition, before any new bonds or notes are issued, the revenues of the debt service fund should be sufficient to cover the projected debt service requirement. At June 30, 2012, the Municipality is in compliance with the debt limitation requirements. The general long-term debt activity for the year ended June 30, 2012 was as follows:

	Balance at June 30, 2011, as restated	Borrowings or Additions	Payments or Deductions	Balance at June 30, 2012	Due Within One Year
Bonds and bond anticipation notes payables	\$ 26,806,000		\$ (920,000)	\$ 25,886,000	\$ 995,000
Notes payable to:					
CRIM:					
Advances over collections through fiscal year 2000	1,063,508		(25,746)	1,037,762	27,363
Act No. 146 -Financing of delinquent property tax accounts sold	486,500		(23,167)	463,333	23,167
LIMS Reimbursement	15,344		(15,344)		
Compensated absences	2,338,678	2,101,508	(1,982,867)	2,457,319	343,757
Total	<u>\$ 30,710,030</u>	<u>\$ 2,101,508</u>	<u>\$ (2,967,124)</u>	<u>\$ 29,844,415</u>	<u>\$ 1,389,287</u>

a) Bonds Payable

The Municipality issues general and special (public improvements) obligations bonds and notes to provide for the acquisition and construction of major capital facilities and equipment, as well as, to cover certain operating needs. Bonds and notes payable at June 30, 2012 is composed of the following debts:

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YEAR ENDED JUNE 30, 2012

	<u>Outstanding Amount</u>
<u>General and Special Obligations:</u>	
\$2,630,000 rent bond series of 1999 payable in annual installments ranging from \$150,000 to \$245,000 through July 2019, interest ranging 5.00% to 7.81%	\$ 1,405,000
\$1,760,000 rent bond series of 2000 payable in annual installments ranging from \$45,000 to \$130,000 through July 2026, interest ranging 5.00% to 7.00%	1,155,000
\$1,300,000 rent bond series of 2001 payable in annual installments ranging from \$35,000 to \$105,000 through July 2027, interest at 5.00% to 8.00%	965,000
\$1,070,000 rent bond series of 2001 payable in annual installments ranging from \$70,000 to \$110,000 through July 2018, interest ranging 5.00% to 8.00%	545,000
\$135,000 rent bond series of 2002 payable in annual installments ranging from \$5,000 to \$10,000 through July 2027, interest rating at 5.00% to 7.00%	85,000
\$475,000 rent bond series of 2002 payable in annual installments ranging from \$20,000 to \$45,000 through July 2022, interest ranging 5.00% to 7.00%	320,000
\$1,965,000 rent bond series of 2002 payable in annual installments ranging from \$55,000 to \$160,000 through July 2027, interest at 5.00% to 7.00%	1,535,000
\$2,085,000 rent bond series of 2002 payable in annual installments ranging from \$65,000 to \$165,000 through July 2026, interest at 5.00% to 7.00%	1,560,000
\$1,115,000 rent bond series of 2004 payable in annual installments ranging from \$30,000 to \$85,000 through July 2028, interest ranging 5.00% to 6.50%	895,000
\$1,195,000 general obligations bonds series of 2004 payable in semi annual installments ranging of \$125,000 to \$150,000 through July 2015, interest ranging of 5.00%	425,000
\$1,730,000 general obligations bonds series of 2005 payable in semi annual installments ranging of \$45,000 to \$120,000 through July 2031, interest of 5.00%	1,485,000
\$3,021,000 general obligation bonds series of 2005 payable in semi annual installments ranging of \$10,000 to \$281,000 through July 2030, interest ranging of 5.00%	2,966,000
\$3,685,000 general obligation bonds series 2005 payable in semi annual installments ranging from \$100,000 to \$ 250,000 through July 2031, interest ranging of 5.00%	3,160,000

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

<u>General and Special Obligations: (continued)</u>	<u>Outstanding Amount</u>
\$1,390,000 general obligation bonds series 2006 payable in semi annual installments ranging from \$30,000 to \$ 105,000 through July 2031, interest ranging 6.25% to 7.25%	1,225,000
\$1,585,000 general obligation note series of 2008 payable in semi annual installments ranging of \$30,000 to \$130,000 through July 2033, interest ranging from 3.93% to 7.5%	1,480,000
\$2,000,000 general obligation bond series of 2008 payable in annual installments ranging of \$35,000 to \$180,000 through July 2033, interest from 5.40% to 7.50%	1,905,000
\$1,800,000 general obligation bond series of 2009 payable in annual installments ranging of \$35,000 to \$150,000 through July 2034, interest ranging 5.40 to 7.50%	1,715,000
\$2,095,000 general obligation bond series of 2011 payable in annual installments ranging of \$25,000 to \$175,000 through July 2036, interest at 6% to 7.50%	2,070,000
\$1,000,000 general obligation bond series of 2011 payable in annual installments ranging of \$10,000 to \$85,000 through July , interest at 6% to 7.50%	990,000
Total bonds	\$ 25,886,000

These bonds are payable from the special ad valorem property tax of 1.50% and from the 0.4% of sales and use taxes collected by the Treasury Department on behalf of the Municipality, which are restricted for debt service and transferred to the Government Development Bank for Puerto Rico for such purposes.

The laws and regulations of the Commonwealth provide that public debt of the Municipality will constitute a first claim on the available revenue of the Municipality. Public debt includes bonds and notes payable. The good faith, credit and taxing power of the Municipality are irrevocably pledged for the prompt payment of the principal and interest of the bonds and notes payable.

The Municipality levies an annual additional special tax of 1.50% of the assessed value of personal and real property. The proceeds of this additional special tax are deposited in a sinking fund established at GDB whereby sufficient funds must be set aside to redeem the bonds in minimum annual or biannual principal and interest payments. The proceeds of this special tax are recorded in the debt service fund.

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Interest rates on serial bonds subject to variable rates are reviewed periodically by GDB and are based on the fluctuation of GDB's weighted average rate for its commercial paper program, not to exceed 8%. Under this program, GDB issues commercial paper in the U.S. taxable and tax-exempt markets, in the Eurodollar market and to corporations that have tax exemption under the Commonwealth's Industrial Incentives Act and qualify for benefits provided by the U.S. Internal Revenue Code Section 936.

Annual debt service requirements of maturity for bonds payable are as follows:

<u>Year ended June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2013	\$ 995,000	\$ 1,630,777	\$ 2,625,777
2014	1,095,000	1,565,027	2,660,027
2015	1,220,000	1,500,242	2,720,242
2016	1,155,000	1,429,113	2,584,113
2017	1,155,000	1,361,663	2,516,663
2018-2022	6,145,000	5,651,648	11,796,648
2023-2027	7,230,000	3,694,400	10,924,400
2028-2032	5,281,000	1,689,836	6,970,836
2033-2037	1,530,000	180,375	1,710,375
Totals	<u>\$ 25,806,000</u>	<u>\$ 18,703,081</u>	<u>\$ 44,509,081</u>

b) Notes Payable to CRIM

Act No. 42 – Act No. 42 of January 26, 2000 was enacted to authorize CRIM to enter into a financing agreement of up to \$200 million, for a term not exceeding 30 years. The financing agreement allows for the financing of a debt that the municipalities of Puerto Rico have with CRIM, arising from the final settlements of property tax advances versus actual collections through fiscal year 2000. The amounts that the municipalities will collect from the additional property taxes resulting from the increases in the subsidy from the Commonwealth to the municipalities are assigned through this law to repay such loan. The increase in this subsidy was the result of the Public Law No. 238 of August 15, 1999.

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NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

In addition, on July 1, 2002, the Municipality entered into a repayment agreement with GDB and CRIM to pay off the remaining \$1,236,483 of excess of property tax advances through fiscal year 2000 and 2001. CRIM retains the principal and interest from the property tax advances of the Municipality. The amounts retained by CRIM are remitted to GDB on July 1 of each year through July 1, 2032. The repayment agreement bears interest at variable rates determined by GDB. The outstanding principal balances of the note payable to CRIM amounted \$1,037,762, at June 30, 2012. The principal and interest maturities are as follows:

Year ending June 30,	Principal	Interest	Total
2013	\$ 27,363	\$ 63,795	\$ 91,158
2014	29,083	62,075	91,158
2015	30,910	60,248	91,158
2016	32,852	58,306	91,158
2017	34,916	56,242	91,158
2018-2022	210,379	245,411	455,790
2023-2027	285,316	170,475	455,791
2028-2032	386,943	68,845	455,788
Total	<u>\$ 1,037,762</u>	<u>785,397</u>	<u>\$ 1,823,159</u>

Financing of delinquent property tax accounts sold – On July 1, 2007, the Municipality entered into a financing agreement with CRIM in the amount of \$579,165 for the payment of delinquent property tax account sold to private investors. The financing agreement in the form of a line of credit bearing interests at 6.50% during the first 5 years, and variable interests 125 points over LIBOR rate during the next 25 years. At June 30, 2012, the outstanding principal balances amounted to \$463,333. The principal and interest maturities are as follows:

Year ending June 30,	Principal	Interest	Total
2013	\$ 23,167	\$ 28,819	\$ 51,986
2014	23,167	27,378	50,545
2015	23,167	25,937	49,104
2016	23,167	24,496	47,663
2017	23,167	23,055	46,222
2018-2022	115,833	93,663	209,496
2023-2027	115,833	57,639	173,472
2028-2032	115,832	21,614	137,446
Total	<u>\$ 463,333</u>	<u>302,601</u>	<u>\$ 765,934</u>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

LIMS— On November 28, 2001, the Municipality entered into a financing agreement with CRIM for the payment of the Municipality's share of the cost of an information management system, acquired by CRIM on behalf of all municipalities, for the management of a digital database of taxpayers properties located in Puerto Rico. The face amount of the loan was \$235,660 and bears no interest. The note is payable in monthly installments of \$2,633 through November 28, 2011. This note has an imputed interest rate of 5.95%. At June 30, 2012, the balance of this note amounted to \$0.

Compensated Absences

At June 30, 2012, the liability for compensated absences is composed as follows:

	<u>Due within One year</u>	<u>Due after one year</u>	<u>Total</u>
Vacations and sick leave	<u>\$ 343,757</u>	<u>\$ 2,113,562</u>	<u>\$2,457,319</u>
Total	<u>\$ 343,757</u>	<u>\$ 2,113,562</u>	<u>\$2,457,319</u>

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MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

11. FUND BALANCE (DEFICIT)

As of June 30, 2012, fund balance (deficit) is comprised of the following:

Fund balances (deficit)	General fund	Capital Project Fund L, S, F Grants	Debt Service Fund	Nonmajor funds	Total
<i>Restricted for:</i>					
General government	16,453	-	-	-	16,453
Public works	-	5,828,834	-	-	5,828,834
Debt service	-	-	3,073,220	-	3,073,220
<i>Committed to:</i>					
General government	-	-	-	232,287	232,287
Public works	-	-	-	1,137,732	1,137,732
Health and welfare	-	-	-	18,867	18,867
Culture and recreation	-	-	-	190,987	190,987
Economic development	-	-	-	8,128	8,128
<i>Assigned to:</i>					
General government	28,608	-	-	-	28,608
Public safety	787	-	-	-	787
Public works	43,907	-	-	738,675	782,582
Health and welfare	-	-	-	416,491	416,491
Culture and recreation	13,207	-	-	299,990	313,197
Economic development	-	-	-	90,279	90,279
Education	-	-	-	13,857	13,857
<i>Unassigned</i>	4,581,535	-	-	-	4,581,535
Total fund balances (deficit)	<u>\$ 4,684,497</u>	<u>\$5,828,834</u>	<u>\$3,073,220</u>	<u>\$3,147,293</u>	<u>\$16,733,844</u>

12. COMMITMENTS AND CONTINGENCIES

Litigations

The Municipality is a defendant in a number of lawsuits arising principally from claims against the Municipality for alleged improper actions, and other legal matters that arise in the ordinary course of the Municipality's activities.

With respect to pending and threatened litigation, the Municipality has not reported liabilities in the general fund for awarded unfavorable judgment because there is not liabilities with a fixed or expected due date, which will require future available financial resources for its payment.

It is management's opinion, based on the advice of the legal counsel, that the potential claims against the Municipality not covered by insurance will not materially affect the financial resources for its payment.

Federal Programs

The municipality participates in a number of federal financial assistance programs. These programs are subject to audit on behalf the grantors to assure compliance with grant provisions. If expenditures are disallowed due to noncompliance with grant programs requirements, the Municipality may be required to reimburse, these costs, to the grantor agency. It is the Municipality's Management

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO BASIC FINANCIAL STATEMENTS (CONTINUED)
YEAR ENDED JUNE 30, 2012

opinion, that any amount disallowed by federal agencies, will be immaterial to the financial statements.

Commitments

The Municipality has reported, outstanding encumbrances amounting to \$86,509 as assigned fund balance in the general fund at June 30, 2012. The municipality intends to honor these encumbrances, which will continue to be liquidated under the current year's budget during a lapse of period that extends into the subsequent fiscal year.

Construction Commitments

The Municipality has commitments at June 30, 2012 of approximately \$5,828,834 for construction, improvements or renovation of certain capital assets.

End of Notes to Basic Financial statements

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

BUDGETARY COMPARISON SCHEDULE- GENERAL FUND
JUNE 30, 2012

	<u>Budgeted amounts</u>		<u>Actual amounts</u>	<u>Variance with</u>
	<u>Original</u>	<u>Final</u>	<u>(budgetary</u> <u>basis)</u>	<u>final budget –</u> <u>over (under)</u>
Revenues:				
Property taxes	\$ 3,690,464	\$ 3,690,464	\$ 3,770,062	\$ 79,599
Municipal license taxes	8,334,691	9,279,041	12,463,138	3,184,097
Sales and use taxes	350,000	350,000	392,844	42,844
Construction excise taxes	410,000	410,000	285,236	(124,764)
Intergovernmental grants and contributions	4,757,680	4,757,680	3,288,539	(1,469,141)
Interest on deposits	90,000	90,000	203,478	113,478
Charges for services	41,500	41,500	43,452	1,952
Miscellaneous	85,000	85,000	92,044	7,044
Total revenues	<u>17,759,335</u>	<u>18,703,685</u>	<u>20,538,793</u>	<u>1,835,108</u>
Expenditures and encumbrances:				
General government	4,693,356	5,065,221	4,922,278	142,943
Public works	7,493,482	8,087,913	7,714,317	373,596
Public safety	1,140,449	1,126,639	1,121,552	5,087
Health and welfare	1,550,078	1,586,078	1,533,426	52,652
Culture and recreation	2,083,471	2,050,145	2,028,286	21,859
Education	343,499	332,689	332,564	125
Total expenditures	<u>17,304,335</u>	<u>18,248,685</u>	<u>17,652,423</u>	<u>596,262</u>
Revenues over (under) expenditures and encumbrances	<u>455,000</u>	<u>455,000</u>	<u>2,886,370</u>	<u>2,431,370</u>
Other financing sources (uses):				
Transfer to other governmental funds	(455,000)	(455,000)	(328,665)	126,335
Total other financing sources (uses)	<u>(455,000)</u>	<u>(455,000)</u>	<u>(328,665)</u>	<u>126,335</u>
Net increase (decrease) in fund balance (deficit)	<u>\$ -</u>	<u>-</u>	<u>\$ 2,557,705</u>	<u>\$ 2,557,705</u>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

BUDGETARY COMPARISON SCHEDULE- GENERAL FUND
JUNE 30, 2012

Reconciliation of differences:

Sources/inflows of financial resources:

Actual amounts (budgetary basis) "available for appropriations" from the budgetary comparison schedule	\$ 20,538,793
Differences - budgetary basis to GAAP:	
Differences in bases of accounting:	
GAAP adjustments to revenues	<u>511,010</u>
Total revenues reported on the statement of revenues, expenditures and changes in fund balances	<u>\$ 21,027,783</u>

Uses/outflows of financial resources:

Actual amounts (budgetary basis) "total charges to appropriations" from the budgetary comparison schedule (including other financing uses)	\$ 17,652,423
Entity differences:	
Non-budgeted expenditures	<u>(231,902)</u>
Total expenditures and other financing sources reported on the statement of revenues, expenditures and changes in fund balances	<u>\$ 17,420,521</u>

See accompanying notes to financial statements.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

FINANCIAL DATA SCHEDULE
YEAR ENDED JUNE 30, 2012

Balance Sheet

Description	14.871 Housing Choice Vouchers
111 Cash - Unrestricted	\$ 357,005
113 Cash - Other Restricted	59,486
100 Total Cash	<u>416,491</u>
128 Fraud Recovery	1,500
128.1 Allowance for Doubtful Accounts - Fraud	(1,500)
120 Total Receivables, Net of Allowances for Doubtful Accounts	-
150 Total Current Assets	<u>416,491</u>
164 Furniture, Equipment & Machinery - Administration	141,856
166 Accumulated Depreciation	(71,992)
160 Total Capital Assets, Net of Accumulated Depreciation	<u>69,864</u>
180 Total Non-Current Assets	<u>69,864</u>
190 Total Assets	<u>\$ 486,355</u>
322 Accrued Compensated Absences - Current Portion	\$ 5,286
310 Total Current Liabilities	<u>5,286</u>
354 Accrued Compensated Absences - Non Current	15,856
350 Total Non-Current Liabilities	<u>15,856</u>
300 Total Liabilities	<u>21,142</u>
508.1 Invested In Capital Assets, Net of Related Debt	69,864
511.1 Restricted Net Assets	59,487
512.1 Unrestricted Net Assets	335,862
513 Total Equity/Net Assets	<u>465,213</u>
600 Total Liabilities and Equity/Net Assets	<u>\$ 486,355</u>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

FINANCIAL DATA SCHEDULE
YEAR ENDED JUNE 30, 2012

Revenues and Expenses	
Description	14.871 Housing Choice Vouchers
70600 HUD PHA Operating Grants	\$ 1,287,745
71400 Fraud Recovery	10,181
71500 Other Revenue	5,064
72000 Investment Income - Restricted	<u>1,013</u>
70000 Total Revenue	1,304,003
91100 Administrative Salaries	120,439
91500 Employee Benefit contributions - Administrative	29,168
91600 Office Expenses	<u>25,113</u>
91000 Total Operating - Administrative	174,720
96210 Compensated Absences	<u>2,466</u>
96000 Total Other General Expenses	<u>2,466</u>
96900 Total Operating Expenses	177,186
97000 Excess of Operating Revenue over Operating Expenses	1,126,817
97300 Housing Assistance Payments	1,131,181
97350 HAP Portability-In	2,552
97400 Depreciation Expense	<u>14,678</u>
90000 Total Expenses	1,325,597
10000 Excess (Deficiency) of Total Revenue Over (Under)	\$ (21,594)
11030 Beginning Equity	486,807
11170 Administrative Fee Equity	405,726
11180 Housing Assistance Payments Equity	59,487
11190 Unit Months Available	2,880
11210 Number of Unit Months Leased	2,646

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO FINANCIAL DATA SCHEDULE
YEAR ENDED JUNE 30, 2012

NOTE A – BASIS OF PRESENTATION

The accompanying Financial Data Schedule (FDS) is a trial balance of the Section 8 Housing Choice Voucher Program, administered by the Municipality. The FDS was created in order to standardize the financial information reported by Public Housing Authorities (PHA) to the Real Estate Assessment Center (REAC), as required by the Uniform Financial Reporting Standards (UFRS). REAC is the US Department of Housing and Urban Development (HUD) national manager center created to assess the condition of HUD owned and assisted properties. The UFRS are rules to implement requirements of 24 CFR, Part 5, Subpart H, for the electronic filing of financial information to HUD.

In accordance with the guidelines for reporting and attestation requirements of UFRS, the accompanying FDS is included as information supplementary to the financial statements. It was prepared using the accrual basis of accounting, as required by REAC regulations.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2012

FEDERAL GRANTOR / PASS THROUGH GRANTOR / PROGRAM OR CLUSTER TITLE	CFDA NUMBER	PASS THROUGH GRANT NUMBER	FEDERAL EXPENDITURES
U.S. Department of Agriculture:			
Pass-through the Commonwealth of Puerto Rico - Department of Education:			
Child and Adult Care Food Program	10.558	CCC-253	\$ 282,716
U.S. Department of Housing and Urban Development:			
Pass-through the Commonwealth of Puerto Rico - Office of the Commissioner of Municipal Affairs:			
Community Development Block Grant Program	14.228	FC-51/AB-51	1,071,898
Pass-through the Commonwealth of Puerto Rico - Department of the Family:			
ARRA- Homelessness Prevention and Rapid Re-Housing Program	14.257	122-2010-000283	169,346
Direct Program:			
Section 8 Housing Choice Voucher Program	14.871	N/A	<u>1,287,745</u>
Total U.S. Department of Housing and Urban Development:			<u>2,528,989</u>
U.S. Department of Energy:			
Pass-through the Commonwealth of Puerto Rico - Executive Office:			
ARRA- Energy Efficiency and Conservation Block Grant	81.128	0013A-008	<u>116,852</u>
U.S. Department of Health and Human Services:			
Pass-through the Commonwealth of Puerto Rico - Administration for Children and Families:			
Head Start Program	93.600	241-2011-000348 241-2012-000182 241-2012-000149 241-2012-000199	3,735,293
ARRA - Early Head Start	93.709	241-2010-000157	<u>96,681</u>
Total Head Start Program Cluster:			<u>3,831,974</u>
U.S. Department of Homeland Security:			
Pass-through the Emergency Management Agency of the Commonwealth of Puerto Rico:			
Pre-Disaster Mitigation Competitive Grants	97.017	N/AV	10,254
Pass-through the Governor's Authorized Representative Office (GAR) of the Commonwealth of Puerto Rico:			
Disaster Grants – Public Assistance	97.036	N/AV	<u>272,477</u>
Total U.S. Department of Homeland Security:			<u>282,731</u>
TOTAL EXPENDITURES OF FEDERAL AWARDS			<u>\$ 7,043,262</u>

See accompanying Notes to Schedule of Expenditures of Federal Awards.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2012

NOTE 1: BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards includes the federal grant activity of the Municipality of Peñuelas, Commonwealth of Puerto Rico (the Municipality) for the year ended June 30, 2012. The Municipality's reporting entity is disclosed in Note 1 to the Municipality's basic financial statements as of and for the fiscal year ended June 30, 2012.

The accompanying schedule of expenditures of federal awards 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, Audits of States, Local Governments, and Non-Profit Organizations. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements.

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying Schedule of Expenditures of Federal Awards is prepared from Municipality's accounting records and is not intended to present financial position or the results of operations.

The financial transactions are recorded by the Municipality in accordance with the terms and conditions of the grants, which are consistent with accounting principles generally accepted in the United States of America.

Expenditures are recognized in the accounting period in which the liability is incurred, if measurable or when actually paid, whichever occurs first.

NOTE 3: FEDERAL CFDA NUMBER

The CFDA numbers included in this Schedule are determined based on the program name, review of grant contract information and the Office of Management and Budget's Catalogue of Federal Domestic Assistance.

NOTE 4: PASS THROUGH GRANTOR'S NUMBER

State or local government redistribution of federal awards to the Municipality, treated as if they were received directly from the federal government. OMB Circular A-133 requires the schedule to include the name of the pass through entity and identifying number assigned by the pass through entity for federal awards received as a sub-recipient. Numbers identified as N/AV are not available.

NOTE 5: MAJOR PROGRAMS

Major programs are identified in the Summary of Auditor's Results Section of the Schedule of Findings and Questioned Costs.

END OF NOTES



MENDOZA & RAMOS
Contadores Públicos Autorizados, C.S.P.

P.O. Box 35 • Guayama, Puerto Rico 00785

To the Honorable Mayor and
Members of the Municipal Legislature
MUNICIPALITY OF PEÑUELAS, PUERTO RICO

**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**

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality of Peñuelas, Puerto Rico (the "Municipality") as of and for the fiscal year ended June 30, 2012, which collectively comprise Municipality of Peñuelas's basic financial statements and have issued our report thereon dated March 27, 2013. The report's opinion on governmental wide financial statement was disclaimed because the Municipality does not maintained adequate records regarding capital assets, accumulated depreciation and related depreciation expense reported in the governmental activities. Except as discussed in the preceding sentence, 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

Management of the Municipality of Peñuelas, Puerto Rico, is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit we considered the Municipality's internal control over financial reporting as 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's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Municipality's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies, or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control over financial reporting that we consider to be material weaknesses and other deficiencies that we considered to be significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination

INDEPENDENT AUDITOR'S REPORT
MUNICIPALITY OF PEÑUELAS

of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies identified as findings 12-01 in the accompanying schedule of findings and questioned costs to be material weakness.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies identified as finding 12-02 in the accompanying schedule of findings and questioned costs to be significant deficiencies.

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the Municipality's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matter that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and questioned costs as findings 12-01 and 12-02.

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

This report is intended solely for the information and use of the management, Municipal Legislature, Office of the Commissioner of Municipal Affairs, federal awarding agencies, state funding agencies, pass-through entities, and other regulatory agencies, and is not intended to be and should not be used by anyone other than these specified parties.

Mendoza & Ramos

MENDOZA & RAMOS
CERTIFIED PUBLIC ACCOUNTANTS, C.S.P.

Guayama, Puerto Rico
March 27, 2013

Stamp number 2573185 was
affixed to the original of this report.





MENDOZA & RAMOS
Contadores Públicos Autorizados, C.S.P.

P.O. Box 35 • Guayama, Puerto Rico 00785

To the Honorable Mayor and
Members of the Municipal Legislature
MUNICIPALITY OF PEÑUELAS, PUERTO RICO

REPORT ON COMPLIANCE WITH REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH THE OMB CIRCULAR A-133

COMPLIANCE

We have audited the compliance of the Municipality of Peñuelas, Puerto Rico (the "Municipality") with the types of compliance requirements described in the *U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* that could have direct and material effect on each of the Municipality's major federal programs for the year ended June 30, 2012. The Municipality's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each major federal programs is the responsibility of the Municipality's management. Our responsibility is to express an opinion of the Municipality's 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 the Municipality's compliance with those requirements and performing such others 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 the Municipality's compliance with those requirements.

As described in the accompanying Schedule of findings and questioned costs, the Municipality did not comply with the requirements that are applicable to its major programs, as follows:

Reference Number	Compliance Requirement	Major Program
12-03	Reporting	Community Development Block Grant – State's Program
12-04	Eligibility/ Reporting	Section 8 Housing Choice Vouchers
12-05	Reporting	Head Start Program/ ARRA-Early Head Start

Compliance with such requirements is necessary, in our opinion, for the Municipality to comply with the requirements applicable to such programs.

INDEPENDENT AUDITOR'S REPORT
MUNICIPALITY OF PEÑUELAS

In our opinion, except for the noncompliance described above, the Municipality complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2012.

INTERNAL CONTROL OVER COMPLIANCE

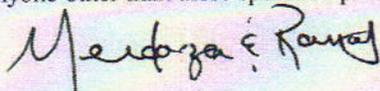
The management of the Municipality of Peñuelas, is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered the Municipality's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

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weakness.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 12-03, 12-04 and 12-05 to be material weaknesses.

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

This report is intended solely for the information and use of the Municipal Legislature, management, Office of the Commissioner of Municipal Affairs, federal awarding agencies, state funding agencies, pass-through entities, and other regulatory agencies, and is not intended to be and should not be used by anyone other than these specified parties.



MENDOZA & RAMOS
CERTIFIED PUBLIC ACCOUNTANTS, C.S.P.

Guayama, Puerto Rico
March 27, 2013

Stamp number 2573186 was
affixed to the original of this report.



MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION I-FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

Financial Statements

Type of auditors' report issued:

- Unqualified Opinion, except for disclaimer opinion for government-wide financial statement
 Qualified Opinion
 Adverse Opinion
 Disclaimer Opinion

Internal control over financial reporting:

- Material weakness (es) identified? Yes No
- Significant deficiencies identified that are not considered to be material weakness (es)? Yes None Reported
- Noncompliance material to financial statements noted? Yes No

Federal Awards

Internal control over major programs:

- Material weakness (es) identified? Yes No
- Significant deficiencies identified that are not considered to be material weakness (es)? Yes None Reported

Type of auditors' report issued on compliance for Major Programs:

- Unqualified Opinion
 Qualified Opinion
 Adverse Opinion
 Disclaimer

Any audit findings disclosed that are required to be reported in accordance with 510(a) OMB Circular A-133?

- Yes No

The Municipality's major programs were:

CFDA Number	Name of Federal Program
14.228	Community Development Block Grant
14.871	Section 8 Housing Choice Vouchers
93.600	Head Start Program
93.709	ARRA- Early head Start

Dollar threshold used to distinguish between

Type A and Type B Programs:

\$300,000

Auditee qualified as low-risk auditee?

- Yes No

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION II – FINANCIAL STATEMENT FINDINGS

FINDING	12-01
CATEGORY	INTERNAL CONTROL
NONCOMPLIANCE	CAPITAL ASSETS
TOPIC SENTENCE	FIXED \ CAPITAL ASSETS AND EXPENDITURES – SUBSIDIARY LEDGER
CONDITION	The Municipality has not maintained complete and adequate records in order to obtain sufficient, competent evidential matter with respect to the Capital Assets reported in governmental activities and, accordingly, the amount by which this departure would affect the assets, net assets, and expenses of the governmental activities is not determinable.
CRITERIA	Chapter IX, Article 9.002 of State Act Number 81 of August 30, 1991 states that the municipality should maintain updated property accounting records. Also the GASB Statements No. 34 <i>Basic Financial Statements – and Management’s Discussion and Analysis – for State and Local Governments</i> require that all capital assets, including infrastructure, must be presented in the Statements of Net Assets and that these assets must be depreciated during its useful life. Also, provisions of GASB Statement No. 42, <i>Accounting and Financial Reporting of Impairments of Capital Assets and for Insurance Recoveries</i> , requires the Municipality to evaluate prominent events or changes in circumstances affecting capital assets to determine whether an impairment of a capital asset has occurred. Furthermore, provisions of GASB Statement No. 51, <i>Accounting and Financial Reporting for Intangible Assets</i> , require that all intangible assets not specifically excluded by its scope provisions be classified as capital assets.
CAUSE	Competent and sufficient evidential matter related to the capital assets was not available to support the value, completeness and ownership of these assets.
EFFECT	The Municipality’s Government Wide Financial Statements do not present fairly, the financial position of the governmental activities, and the change in financial position of the Municipality.
RECOMMENDATION	We recommend that the Municipality should continue the compilation of documents to support the value, completeness and ownership of its capital assets, to comply with the requirements of the GASB Statement No. 34, GASB Statement No. 42 and GASB Statement No.51.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION II – FINANCIAL STATEMENT FINDINGS

FINDING

12-01 (CONTINUED)

QUESTIONED COSTS

NONE

MANAGEMENT RESPONSE
AND CORRECTIVE ACTION PLAN

The Municipality's Finance Department staff is in the process of updating the capital assets subsidiary ledger (in the new accounting system) in order to comply with the GASB No. 34 capital assets requirements for the fiscal year ended on June 30, 2013.

Implementation Date: June 30, 2013

Responsible Person: Mr. Arnaldo Rivera
Finance Department Director

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION II – FINANCIAL STATEMENT FINDINGS

FINDING	12-02
CATEGORY	INTERNAL CONTROLS
TOPIC SENTENCE	ACCOUNTING SYSTEM
CONDITIONS	During the audited fiscal year, the accounting system and manuals used by the Municipality to account and register the financial transactions during the fiscal year does not provide for the summarization of transactions that permit the preparation of Municipality's financial statements in conformity with the General Accepted Accounting Principles of the United States of America (GAAP).
CRITERIA	According to Article 8.010 (a) and (b) of Law Num. 81 for the Municipalities of Puerto Rico, the computerized system and the procedures of accounting and property will be design so that it allows the Municipality to carry out its functions, at the same time as they serve to maintain an uniform and coordinated accounting, that provide a complete picture of the financial operations of the Municipality and the necessary financial information that assist the Municipality Legislature, the Governor, and the Secretary of the Puerto Rico Treasury Department in the performance of its respective responsibilities. Municipalities accounting will be based on funds, Generally Accepted Accounting Principles and the requirements established by the Governmental Accounting Standard Board. Also the pronouncements of the National Committee on Governmental Accounting and the "Blue Book" will be used to design municipalities' accounting systems and fiscal procedures.
CAUSES	Municipality's accounting system and financial reports are subject to State's agencies requirements which does not allow nor provide the Municipality with the necessary tools capable of recapturing the financial information and provide financial statements. Nevertheless, during the audited fiscal year, the Municipality contracted services to implement a new accounting system as a corrective action for the established condition. The implementation of the new accounting system started on January 2012.
EFFECT	The lack of an adequate accounting system which can captures all the financial information and generates Municipality's financial statements for each fiscal year affect the Municipality ability to measure the financial and nonfinancial performance of programs and activities; adequately safeguard significant assets and properly record various transactions; and hinder the Municipality from having reliable financial information to operate in an economical, efficient, and effective manner.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION II – FINANCIAL STATEMENT FINDINGS

FINDING

12-02 (CONTINUED)

Sound decisions on the current results and future direction of vital programs and policies are made more difficult without timely, reliable and useful financial performance information.

RECOMMENDATION

The Municipality should establish and implement the necessary measures and controls that allow the summarization of the financial transactions in order to prepare the financial statements in conformity with GAAP.

QUESTIONED COSTS

None

MANAGEMENT RESPONSE
AND CORRECTIVE ACTION PLAN

On January 2012 the Municipality implements a new accounting software in order to maintain all accounting and financial information and prepare Municipality's financial statements. For the fiscal year 2012-2013, all of the financial transactions have been recorded in the new accounting software in order to provide the necessary information to prepare the financial statements in conformity with GAAP.

Implementation Date: January 30, 2012

Responsible Person: Mr. Arnaldo Rivera
Finance Department Director

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING	12-03
FEDERAL PROGRAM	COMMUNITY DEVELOPMENT BLOCK GRANT/ STATE'S PROGRAM (CDBG) (CFDA NO. 14.228) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PASS THROUGH COMMONWEALTH OF PUERTO RICO - OFFICE OF COMMISSIONER OF MUNICIPAL AFFAIRS
CATEGORY	INTERNAL CONTROLS
NONCOMPLIANCE	REPORTING / COMPLIANCE
TOPIC SENTENCE	INADEQUATE FISCAL CONTROL AND LACK OF ACCOUNTING RECORDS
CONDITIONS	<p>During the audited fiscal year, the Community Development Block Grants State's Program (the Program) does not maintain an adequate fiscal control and accounting records over the management, use and registering of funds granted by the Lead Agency (OCAM). Among the deficiencies founds were the following:</p> <ul style="list-style-type: none">- The lack of accounting records does not provide for the preparation of annual financial statements, monthly and quarterly reports.- The financial information provided does not allowed us to determine the amount of funds that were expended, encumbered or unobligated at the end of the fiscal year.- Due to the lack of accounting records, we could not determine how administration costs were expended.- There are no internal controls neither records to account for the inter fund receivable and payables balances. Monthly Program's expenditures financed by the Municipality's general fund are not being register, monitored nor accounted for by the Program's accountant. In addition, inter fund transactions regarding the reimbursement of money between funds were not supported by an analysis.
CRITERIA	<p>As stated in 24 CFR 982.158(a) the PHA must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. In addition, 24 CFR 92.20(b) establishes that the financial management systems of other grantees and subgrantees must meet the following standards: (1) Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant or subgrant; (2) grantees and subgrantees must maintain records which</p>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING

12-03 (CONTINUED)

adequately identify the source and application of funds provided for financially-assisted activities. These records must contain information pertaining to grant or subgrant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income; (3) Effective control and accountability must be maintained for all grant and subgrant cash, real and personal property, and other assets.

CAUSE

The Municipality's and Program's management have not established the procedures and adequate internal controls to ensure the adequate recording of all related financial information. Nevertheless, during the audited fiscal year, the Municipality contracted services to implement a new accounting system as a corrective action for the established condition. The implementation of the new accounting system started on January 2012.

EFFECT

These conditions inhibit the Municipality from having current accurate and reliable financial reports and information necessary for management to take efficient and effective actions, including corrective actions plans. On the other hand, the awarding agency inhibits from monitoring the programs financial performance.

RECOMMENDATION

The Municipality should establish a plan and implement the corresponding internal controls to ensure that all Program's transactions and activities are properly recorded and fairly presented in accordance with program requirements. In addition, should establish and maintain a subsidiary ledger to accurately account for inter fund transactions.

QUESTIONED COSTS

None

MANAGEMENT RESPONSE
AND CORRECTIVE ACTION PLAN

On January 2012 the Municipality implements a new accounting software in order to maintain all accounting and financial information and prepare Municipality's financial statements. For the fiscal year 2012-2013, all of the financial transactions have been recorded in the new accounting software in order to provide the necessary information to prepare the financial statements in conformity with GAAP.

Implementation Date: January 30, 2012

Responsible Person: Mr. Arnaldo Rivera
Finance Department Director

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING	12-04
FEDERAL PROGRAM	SECTION 8 HOUSING CHOICE VOUCHERS (CFDA NO. 14.871) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
CATEGORY	INTERNAL CONTROL / COMPLIANCE
NONCOMPLIANCE	ELIGIBILITY
TOPIC SENTENCE	INADEQUATE CONTROLS OVER PAYMENT PLANS FOLLOW-UP AND ENFORCEMENT OF CORRECTIVE ACTIONS IN CASE ON NON-COMPLIANCE.
CONDITION	<p>During our tests we observe that as of June 30, 2012 the program had 46 payment plans registered with a total balance of \$55,409. Of these, 19 for \$18,988 correspond to active participants and 27 for \$36,421, to former participants.</p> <p>In comparison with prior year, we observe that total balance of registered payment plans was reduced by approximately 6%, the total balance of registered payment plans regarding actives participants was reduced by approximately 44%, and there was an increase of approximately 45% on registered payment plans balances regarding former participants.</p> <p>Most of the payment plans result from investigation of income discrepancies detected through the Enterprise Income Verification System (EIV).</p> <p>On November 2011, the Program updates its Administrative Plan. Nevertheless, no evidence was provided to us indicating that such plan includes neither procedures to assure timely follow-up to the existing payment plans nor procedures for managing situations where the participant fails to comply with the established payment plan.</p>
CRITERIA	24 CFR 982.552 PHA denial or termination of assistance for family , states that the Housing Agency may deny assistance to an applicant or terminate assistance if the family violates any family obligations under the program which includes if any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program. Also, states as a reason for denial or termination of assistance if the family breaches an agreement with the PHA to pay amounts owed to a PHA, or amounts paid to an owner by a PHA. (The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner by a PHA. The PHA may prescribe the terms of the agreement.)

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING	12-04 (CONTINUED)
	24 CFR 792, Public Housing Agency Section 8 Fraud Recoveries , has the purpose to encourage public housing agencies (PHAs) to investigate and pursue instances of tenant and owner fraud and abuse in the operation of the Section 8 housing assistance payments programs.
CAUSE	The Municipality did not maintain controls and procedures to assure compliance with the established payments plans and to impose the established corrective actions to participants that are not in compliance with program regulations.
EFFECT	The Municipality could grant benefits to families that are not in compliance with program regulations.
RECOMMENDATION	The Municipality should implement controls and procedures to assure adequate follow-up to established payments plans and implement the corresponding corrective actions in case of non-compliance.
QUESTIONED COSTS	None
MANAGEMENT RESPONSE AND CORRECTIVE ACTION PLAN	<p>As we comment in the past Single Audit Report, at the beginning of December 2011 and after a couple of meetings with the active participants of our Program, a large number of them made additional payments to their payment agreement, and some of them paid in full. Also, we revised our Administrative Plan and implemented an aggressive method to recover those debts. But, we will continue our efforts to collect accounts receivable from fraud recovery, including legal actions against fraudsters.</p> <p>Implementation Date: June 30, 2013 Responsible Person: Mrs. Nancy Rivera Section 8 Program Coordinator</p>

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING	12-05
FEDERAL PROGRAM	HEAD START (CFDA NO. 93.600) DEPARTMENT OF HEALTH AND HUMAN SERVICES PASS-THROUGH THE COMMONWEALTH OF PUERTO RICO -ADMINISTRATION FOR CHILDREN AND FAMILIES
CATEGORY	COMPLIANCE
NONCOMPLIANCE	REPORTING
TOPIC SENTENCE	NONCOMPLIANCE WITH REPORTING REQUIREMENT
CONDITIONS	<p>Head Start Program does not submit timely required reports to administrative state agency as required by award contract as follows:</p> <ul style="list-style-type: none">• Four (4) and three (3) monthly reports regarding the Early Head Start Program and Head Start Program, respectively, were submitted between seven (7) and thirty seven (37) days after the deadline.• Three (3) and one (1) quarterly reports regarding the Early Head Start Program and Head Start Program, respectively, were submitted between forty (40) and sixty four (64) days after the deadline.• The closing reports corresponding to the end of operations regarding the Early Head Start Program and Head Start Program, were submitted five (5) and eight (8) days after the deadline, respectively.• The final liquidation reports regarding the Early Head Start Program and Head Start Program were submitted one hundred and eighteen (118) and one (1) days after the deadline, respectively.
CRITERIA	Head Start Act, as amended. 42 USC 9801 et seq. States requirements for reporting use of funds awarded, also, contract with state agency for award of funds establishes specific requirements for reporting use of funds to state agency.
CAUSE	Accounting records were not up to date at the time required for reports preparation.
EFFECT	Head Start program was not in compliance with fund delegation contract clauses in reporting area.

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING	12-05
RECOMMENDATION	To develop procedures in order to have administrative priorities directed to maintain accounting records up to date.
QUESTIONED COSTS	None
MANAGEMENT RESPONSE AND CORRECTIVE ACTION PLAN	Program Accountant was instructed to maintain accounting records up to date, in order to prepare and submit timely all of required reports by award contract clauses. Implementation Date: April 30, 2013 Responsible Person: Mrs. Ingrid Velázquez Head Start Program Accountant

END OF SCHEDULE

MUNICIPALITY OF PEÑUELAS
COMMONWEALTH OF PUERTO RICO

SUMMARY SCHEDULE OF PRIOR YEARS FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2012

(1) Audit Findings that have been Fully Corrected:

Finding Number	CFDA	Questioned Cost	Comments
11-04 Special Test	14.228	None	Corrected

(2) Audit Findings not corrected or Partially Corrected:

Finding Number	CFDA	Questioned Cost	Comments
11-03 Reporting -- Internal Controls	14.228	None	Situation still prevails
11-06 Eligibility	14.871	None	Situation still prevails
11-07 Reporting	93.600	None	Situation still prevails
10-03 Reporting -- Internal Controls	14.228	None	Situation still prevails
10-10 Reporting	93.600	None	Situation still prevails
09-03 Reporting - Internal Controls	14.228	None	Situation still prevails
08-09 Reporting - Internal Controls	14.228	None	Situation still prevails

(3) Corrective action taken is significantly different from corrective action previously reported:

NONE

(4) Audit findings is no longer valid:

Finding Number	CFDA	Questioned Cost	Comments
11-05 Cash Management	14.871	None	
10-09 Cash Management	14.871	None	
09-04 Reporting	14.228	None	
09-07 Cash Management	14.871	None	
08-08 Reporting	14.228	None	
08-11 Cash Management	14.871	None	
07-06 Reporting	14.228	None	
05-III-04 Cash Management	14.871	None	
05-III-07 Reporting	14.228	None	

END OF SCHEDULE