

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA**

**Independent Auditors' Report**

**Basic Financial Statements and  
Supplemental Schedules**

**Year Ended June 30, 2012**

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

FINANCIAL STATEMENTS AND SUPPLEMENTAL SCHEDULES  
YEAR ENDED JUNE 30, 2012

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## INDEPENDENT AUDITORS' REPORT

The Honorable Mayor, Members of the  
**Municipal Legislature and People of**  
**the Municipality of Toa Alta**  
Toa Alta, 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 Toa Alta**, 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 of Toa Alta's** management. Our responsibility is to express opinions on these financial statements based on our audit.

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 opinion.

In our opinion, the financial statements referred to previously present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the **Municipality of Toa Alta** of the Commonwealth of Puerto Rico, as of **June 30, 2012**, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

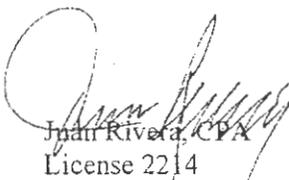
In accordance with *Government Audit Standards*, we have also issued our report dated **December 13, 2012** on our consideration of the **Municipality of Toa Alta's** internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreement and other matters. The purpose of that report is to describe the scope of our testing of internal control over a financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Audit Standards* and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the *Management's Discussion and Analysis* and the *Budgetary Comparison* information on pages 3 through 13 and 67 through 68 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in a

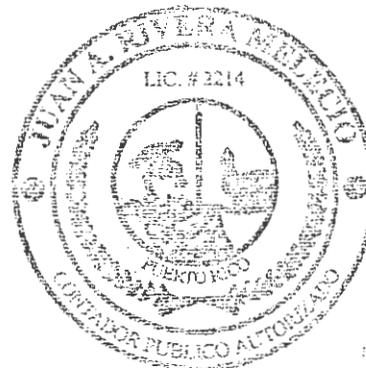
appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the **Municipality of Toa Alta** of the Commonwealth of Puerto Rico's financial statements. The accompanying combining and individual nonmajor fund financial statements and schedule of expenditures of federal awards, as required by *US Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and the schedule of expenditures of federal awards are fairly stated in all material respects in relation to the financial statements as a whole.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the **Municipality of Toa Alta's** financial statements. The introductory and statistical sections are presented for the purpose of additional analysis and are not a required part of the basic financial statements. Such information has not been subject to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

  
Juan Rivera, CPA  
License 2214

December 13, 2012  
Toa Baja, Puerto Rico



Stamp No. 2669688 of the Puerto Rico Society of Certified Public Accountants were affixed to the record copy of this report.

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Management of the Municipality of Toa Alta (the Municipality) provides this *Management's Discussion and Analysis* (MD&A) for the readers of the Municipality's 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.

**FINANCIAL HIGHLIGHTS**

**a) Government-Wide Highlights**

**Assets** - The Municipality has reported assets amounting to \$81,171,674 in the accompanying statement of net assets, of which is mainly composed of capital assets amounting to \$41,337,894 (net of accumulated depreciation and amortization of \$19,025,352), and cash amounting to \$35,268,498 (of which \$34,927,699 are restricted for specific purposes).

**Liabilities** - The Municipality has reported liabilities amounting to \$58,847,474 in the accompanying statement of net assets, of which \$42,081,327 consist of bonds and notes payable, \$7,253,281 for Solid waste landfill obligation, and \$785,000 consist of claims and judgments. Accounts payable to suppliers and accrued expenses amounted to \$5,221,155.

**Net assets** - The Municipality's assets exceeded its liabilities (net assets/surplus) by \$22,324,200 at June 30, 2012. Restricted net assets and net assets invested in capital assets amounted to \$34,232,825 and \$27,043,809, respectively. These balances are partially offset by an unrestricted deficit amounting to \$39,648,967.

**Net change in net assets** - The Municipality's net assets increased by \$3,697,312 during fiscal year ended June 30, 2012. Net assets at June 30, 2011 amounted to \$18,626,888.

**Revenues** - The Municipality has reported total revenues amounting to \$26,501,310 in the accompanying statement of activities, of which the most significant are tax revenues, grants and contributions amounting to \$12,241,989, and \$9,138,075, respectively. Charge for service, interest or deposits and other revenues amounted to \$3,080,590.

**Expenses** - The Municipality has reported total expenses amounting to \$22,803,998 in the accompanying statement of activities.

**b) Governmental Funds Highlights**

The total fund balance of governmental funds amounted to \$31,298,944 at June 30, 2012, of which \$34,232,825 is reserved for capital projects, debt service, and grants, \$461,428 is assigned for special purposes, \$596,533 is committed for encumbrances, while \$4,091,842 represents an unrestricted deficit.

**COMMONWEALTH OF PUERTO RICO  
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MANAGEMENT'S DISCUSSION AND ANALYSIS**

***b) Governmental Funds Highlights – (continued)***

The total fund balances of governmental funds increased by \$11,526,903 during the fiscal year ended June 30, 2012, mainly for debt issued.

**USING THIS ANNUAL REPORT**

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

**OVERVIEW OF THE BASIC FINANCIAL STATEMENTS**

The Municipality's financial statements include three components: (1) the government-wide financial statements, (2) the fund financial statements, and (3) the notes to the financial statements (collectively known as the basic financial statements). This report also contains additional required supplementary information (budgetary schedules) and other supplementary information (combining financial statements) in addition to the basic financial statements themselves. These components are described below:

**a- Government-Wide Financial Statements**

The *government-wide financial statements* are designed to provide readers with a broad overview of the Municipality's operations and finance as a whole in a manner similar to private-sector business.

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 the end of the fiscal year. These financial statements are prepared using the flow of economic resources measurement focus and the accrual basis of accounting. This basically means that these financial statements follow methods that are similar to those used by most businesses. They take into account all revenues and expenses connected with the fiscal year ended June 30, 2012 even if cash involved have not been received or paid. The government-wide financial statements include: (1) the statements of net assets and (2) the statement of activities.

***1- Statement of Net Assets***

The statement of net assets presents all of the Municipality's assets and liabilities, with the difference between these two items reported as "net assets" (equity). Over time, increases or decreases in the net assets may serve as a useful indicator of whether the financial position of the Municipality is either improving or deteriorating.

***2- Statement of Activities***

The statement of activities presents information showing how the Municipality's net assets changed during the fiscal year ended June 30, 2012. All changes in net assets

**COMMONWEALTH OF PUERTO RICO  
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MANAGEMENT'S DISCUSSION AND ANALYSIS**

**a- Government-Wide Financial Statements- (continued)**

***2- Statement of Activities***

are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will not result in cash flows until future fiscal periods (such as uncollected taxes and earned but unused vacation leave). This statement also presents a comparison between direct expenses and program revenues for each function of the Municipality.

Both of the abovementioned financial statements present all the governmental activities of the Municipality, which consist mostly by taxes and intergovernmental revenues (such as federal grants). Most services provided by the Municipality fall into this category, including culture and education, general government, health and sanitation, public safety, public housing and welfare, etc.

**b- Governmental Fund Financial Statements**

The Municipality's fund financial statements, which 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 and results of operations of the Municipality's 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.

The fund financial statements focus on: (1) individual parts of the Municipality's government and (2) reporting the Municipality's operations in more detail than the government-wide financial statements. For financial reporting purposes, the Municipality classifies its funds within the following fund categories: (1) general fund, (2) debt service fund, (3) special revenue funds and (4) capital projects funds (collectively known as the "governmental funds").

Governmental funds are used to account for all of the services provided by the Municipality. Governmental funds are used to account for essentially the same functions reported as governmental activities in the governmental-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources. They also focus on the balances of spendable resources available at the end of the fiscal year (June 30, 2012). This approach is known as using the flow of current financial resources measurement focus and the modified accrual basis of accounting. These statements provide a detailed short-term view of the Municipality's finances that assists in determining whether there will be adequate financial

**COMMONWEALTH OF PUERTO RICO  
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MANAGEMENT'S DISCUSSION AND ANALYSIS**

**b- Governmental Fund Financial Statements – (continued)**

resources available to meet the current needs of the Municipality, that is, evaluating the Municipality's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the fund information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Municipality's near-term financial decisions.

For financial reporting purposes the Municipality has three major funds: (1) the general fund, (2) debt service fund, and (3) capital improvements bonds fund.

**c- Notes to the Basic Financial Statements**

The notes to the basic financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and the fund financial statements. The notes to the basic financial statements can be found immediately following the basic financial statements.

**d- Required Supplementary Information**

The basic financial statements are followed by a section of required supplementary information consisting of a budgetary comparison between actual operating results with the original budget and the final amended budget for the general fund.

**Financial Analysis of Government-Wide Financial Statements**

The Municipality's overall financial position and operations for the prior and the current fiscal year are summarized as follows, based on the information included in the accompanying GWFS:

<b>Condensed Statement of Net Assets</b>		
<b>Governmental Activities</b>		
<b>June 30, 2012 and 2011</b>		
	<u>2012</u>	<u>2011</u>
<b>Assets:</b>		
Current assets	\$39,933,780	\$29,141,895
Non current assets:		
Capital Assets – net	<u>41,237,894</u>	<u>39,175,553</u>
Total Assets	<u>81,171,674</u>	<u>68,317,448</u>
<b>Liabilities:</b>		
Current liabilities	6,569,835	7,303,853
Current maturity of long term debt	2,294,108	2,282,571
Long-term obligations	<u>49,983,531</u>	<u>40,104,136</u>
Total Liabilities	<u>58,847,474</u>	<u>49,690,560</u>
<b>Net Assets (Deficit):</b>		
Invested in capital assets, net of debt	27,043,809	27,140,789
Non spendable, Restricted and Committed	34,929,358	23,719,636
Unassigned deficit	<u>(39,648,967)</u>	<u>(32,233,537)</u>
Total Net Assets	<u>\$22,324,200</u>	<u>\$18,626,888</u>

**COMMONWEALTH OF PUERTO RICO  
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MANAGEMENT'S DISCUSSION AND ANALYSIS**

**d- Required Supplementary Information- (continued)**

At June 30, 2012, the Municipality's current assets, amounting to \$39,933,780 are mainly composed of cash \$35,268,498, account receivable \$2,028,932, net of reserve for doubtful accounts, intergovernmental grants and contribution \$2,514,777 and inventories and other assets of \$121,573.

The restricted cash represents resources legally designated for: (1) the payment of debt services, (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 to major Capital assets.

The Municipality's non-current assets, amounting to \$41,237,894 at June 30, 2012, are substantially composed of capital assets, with a cost basis of \$60,263,246 which are reported net of accumulated depreciation and amortization of \$19,025,352.

At June 30, 2012, the Municipality's current liabilities amounting to \$8,863,943 are mainly composed of accounts payable to suppliers \$1,534,107, intergovernmental payables \$2,479,422, deferred revenues \$1,160,534, and the portions due within one year \$2,294,108 of bonds, notes and loans payable and claims and judgments.

The Municipality's non-current liabilities, amounting to \$49,983,531 at June 30, 2012, are mainly composed of portions due after one year of bonds and notes payable \$42,801,327, solid wasted landfill obligation \$7,253,281 and claims and judgments \$785,000, less amount presented as current portion due within one year \$2,294,108.

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 \$22,324,200 at June 30, 2012. The most significant portion of net assets \$27,043,809 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 futures 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.

Another significant portion of net assets \$34,232,825 at June 30, 2012, represents resources that are restricted for capital projects, debt service, grants and contributions.

The remaining component of total net assets consists of committed funds \$596,533 and unassigned net deficit amounting to \$39,648,967 at June 30, 2012. This unrestricted net deficit is the consequence of previous budgets that did not provide sufficient funding for incurred long-term obligations, such as bonds and notes payable, compensated absences, claims and judgments, certain obligations under capital leases, etc.

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**d- Required Supplementary Information- (continued)**

Historically, a significant portion of such obligation has been budgeted on a pay-as-you-go basis.

The total net assets of the Municipality increased by \$3,697,312 for the fiscal year ended June 30, 2012.

The following is a condensed presentation of the Municipality's results of government-wide financial statements:

**Condensed Statement of Activities  
Governmental Activities  
Fiscal Years Ended June 30, 2012 and 2011**

	<u>2012</u>	<u>2011</u>
<b>Revenues</b>		
Program revenues:		
Operating grants and contributions	\$4,468,752	\$5,047,131
Capital grants and contributions	1,132,229	1,747,493
Charges for services	2,135,154	2,151,134
General Revenues:		
Property taxes	7,817,522	5,823,080
Municipal license tax	1,397,096	1,591,195
Construction excise taxes	1,317,178	2,105,485
Sales and use tax	1,710,193	1,607,328
Grants and contributions	5,577,750	5,263,988
Other revenues	945,436	700,775
Total revenues	<u>26,501,310</u>	<u>26,037,609</u>
<b>Expenses</b>		
General government	7,923,200	5,486,580
Urban and economic development	5,089,356	4,540,040
Public safety	2,614,629	2,449,501
Health and sanitation	2,958,398	2,909,646
Culture, recreation and education	1,120,328	961,534
Public housing and welfare	1,957,534	2,421,120
Interest on long term obligations	1,140,553	922,516
Total expenses	<u>22,803,998</u>	<u>19,690,937</u>
Net increase (decrease) in net assets	3,697,312	6,346,672
Net assets – beginning of year	<u>18,626,888</u>	<u>12,280,216</u>
Net assets – end of year	<u>\$22,324,200</u>	<u>\$18,626,888</u>

As previously mentioned, the Municipality's net assets increased by \$3,697,312 during the current fiscal year. Approximately 46% of the Municipality's total revenues for the current fiscal year came from property taxes, municipal license, construction excise taxes and sales and use taxes \$12,241,989. Grants, contributions and charges for services (program revenues), amounting to: \$13,313,885 provided 50% of the total revenue for the current fiscal year. Interests on deposits and miscellaneous revenues provided the remaining 4% of total revenues.

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 \$7,923.20, which were classified as "general government", (2) urban and economic development \$5,089.35 (3) health and sanitation

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**d- Required Supplementary Information- (continued)**

\$2,958,398, (4) public safety \$2,614,629, (5) public housing and welfare \$1,957,534, (6) culture, recreation and education \$1,120,328, and (7) interest on long-term obligation \$1,140,553. These expenses include

Depreciation and amortization of capital assets and deferred charges in the amounts of \$1,454,633 for the fiscal year ended June 30, 2012.

**FINANCIAL ANALYSIS OF THE MUNICIPALITY'S GOVERNMENTAL FUNDS**

***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 balance of *spendable 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 a government's net resources available for spending at the end of fiscal year.

At June 30, 2012, the total assets of governmental funds amounted to \$42,502,673, which consisted principally of: (1) cash of \$35,268,498, (2) taxes receivable, \$1,911,232, net of reserve for doubtful accounts, (3) inter-fund receivable of \$2,568,894, and (4) intergovernmental receivables \$2,514,776.

At June 30, 2012, the liabilities of governmental funds amounted to \$11,203,729, which consisted principally of: (1) intergovernmental payable of \$2,479,422, (2) account payable to suppliers of \$1,534,107, (3) deferred revenues \$1,160,534, (4) due to other funds of \$2,568,894, and (5) matured bonds and related interest due and payable of \$2,802,626.:

The fund balances of governmental funds increased by \$11,526,903 during the fiscal year ended June 30, 2012.

Condensed Balance Sheet - Governmental Funds  
For the fiscal year ended June 30, 2012 and 2011

	<u>2012</u>	<u>2011</u>
<b>Assets:</b>		
Total assets - major governmental funds	\$ 37,929,282	\$26,138,517
Total assets - other governmental funds	<u>4,573,391</u>	<u>5,732,565</u>
Combined total assets	<u>42,502,673</u>	<u>31,871,082</u>
<b>Liabilities:</b>		
Total liabilities - major governmental funds	10,585,516	10,627,600
Total liabilities - other governmental funds	<u>618,213</u>	<u>1,471,441</u>
Combined total liabilities	<u>11,203,729</u>	<u>12,099,041</u>
<b>Fund balances:</b>		
Non-spendable	100,000	101,023
Restricted - major governmental funds	30,874,180	19,357,489
Restricted - other governmental funds	3,955,178	4,261,124
Assigned - all governmental funds	461,428	1,295,588
Unassigned - all governmental funds	<u>(4,091,842)</u>	<u>(5,243,184)</u>
Combined total fund balances	<u>31,298,944</u>	<u>19,772,041</u>
Total liabilities and fund balances	<u>\$42,502,673</u>	<u>\$31,871,082</u>

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS

**Major Governmental Funds**

**General Fund (GF)** - The GF is the principal operating fund of the Municipality. The GF's total assets amounted to \$4,849,009 at June 30, 2012. Such assets consist principally of: (1) cash \$643,626 (2) property, municipal license, construction excise tax, and sales and use tax receivable \$1,345,940, (3) receivable from intergovernmental grants and contributions \$2,376,325, and (4) due from other funds \$360,945.

The GF's total liabilities amounted to \$7,782,890 at June 30, 2012. Such liabilities are composed mainly of: (1) account payable to suppliers \$1,534,107, (2) intergovernmental payables \$2,479,422, (3) deferred revenues \$903,266 and (4) due to other funds \$2,207,949. At the end of the current fiscal year, the GF reported a fund deficit of \$2,933,881.

**Capital Projects - Las Acerolas Project** - The CPF's total assets amounted to \$2,382,401 at June 30, 2012, which consist mainly of restricted cash \$1,952,201 and due from other funds \$430,000. At the end of the current fiscal year, CPF's total restricted fund balance reached \$2,382,401.

**Bond Issuance Fund (BIF)** - The BIF's total assets amounted to \$21,570,704 at June 30, 2012, which consist mainly of restricted cash in fiscal agent \$21,455,904. At the end of the current fiscal year, BIF's total reserved fund balance reached \$21,570,704.

**Debt Services Fund (DSF)** - The DSF's total assets amounted to \$5,884,152 at June 30, 2012, which consist mainly of restricted cash in fiscal agent \$5,318,560. The DSF's total liabilities amounted to \$2,802,626 at June 30, 2012, which is mainly composed of: (1) matured bonds due and payable \$2,065,000, and (2) interest payable \$737,626. At the end of the current fiscal year, DSF's total reserved fund balance reached \$3,081,526.

**Section 108-Loan Guarantee Fund (LGF)** - The LGF's total assets amounted to \$3,243,016 at June 30, 2012 which consists mainly of restricted cash. At the end of the current fiscal year, LGF's total and reserved fund balance reached \$3,243,016.

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**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**Analysis of Operating Results of Governmental Funds**

Condensed Statement of Revenues, Expenditures and changes  
In Fund Balance - Governmental Funds  
Fiscal Years Ended June 30, 2012 and 2011

	<u>2012</u>	<u>2011</u>
<b>Revenues:</b>		
Total revenue - major governmental funds	\$20,856,535	\$19,205,185
Total revenue - other governmental funds	<u>5,644,775</u>	<u>6,832,424</u>
Combined total revenues	<u>26,501,310</u>	<u>26,037,609</u>
<b>Expenditures:</b>		
Total expenditures - major governmental funds	22,075,429	21,291,019
Total expenditures - other governmental funds	<u>5,993,978</u>	<u>6,800,756</u>
Combined total expenditures	<u>28,069,407</u>	<u>28,091,775</u>
Deficiency of revenues under expenditures	<u>(1,568,097)</u>	<u>(2,054,166)</u>
<b>Other financing sources (uses), net:</b>		
major governmental funds	<u>13,095,000</u>	<u>11,405,000</u>
Combined other financing sources, net	<u>13,095,000</u>	<u>11,405,000</u>
<b>Excess (deficiency) of revenues and other financing sources over expenditures and other financing uses</b>	11,526,903	9,350,834
Fund balance, at beginning of fiscal year	19,772,041	10,421,207
Fund balance, at end of fiscal year	<u>\$31,298,944</u>	<u>\$19,772,041</u>

**Major Governmental Funds**

**General Fund (GF)** - The total fund balance of the GF increased by \$453,518 during current fiscal year.

Approximately 52% \$8,744,366 of the GF's total revenues for the current fiscal year came from property taxes, municipal license, construction excise taxes and sales and use taxes, while \$5,577,750 resulted from intergovernmental grants and contributions, charges for services \$2,135,154, and miscellaneous revenues of \$215,804. Other financing sources were net transfers from other funds of \$511,259.

The largest expenses of the GF for the fiscal year ended June 30, 2012 were related to: (1) general administrative and operating costs \$7,536,377, which were classified as "general government", (2) urban and economic development \$1,618,539, (3) public safety \$1,887,706, (4) health and sanitation \$2,912,146, (5) culture, recreation and education \$825,538 and (6) public housing and welfare \$300,677.

**Capital Projects - Las Acerolas Project** - The CPF's total fund balance of CPF's increased by \$182 during current fiscal year.

**Bond Issuance Fund (BIF)** - The BIF's total fund balance increased by \$11,721,038 during current fiscal year. Total revenue of BIF's for the current fiscal year came from interest on deposit \$655,800. BIF's total expenditures for the current fiscal year were used for capital outlays \$1,133,158 and general government \$354,604. Other financing sources amounted to \$12,553,000 mainly from proceeds from issuance of bonds and net transfers to other funds

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**Debt Services Fund (DSF)** - The total fund balance of the DSF's increased by \$1,004,342 during current fiscal year. Property taxes provided \$2,916,320 of DSF's total revenues for the current fiscal year. DSF's total expenditures for the current fiscal year were related to payment of principal and interests \$2,494,010. Other financing uses amounted to \$2,898, mainly for net transfers-out to other funds.

**Section 108 - Loan Guarantee Fund (LGF)** - The total fund balance of the LGF's decreased by \$1,346,231 during current fiscal year. LGF's total revenues for the current fiscal year came from interests on deposits amounting to approximately \$16,611. LGF's total expenditures for the current fiscal year were used for capital outlays \$1,362,842.

## **CAPITAL ASSETS AND DEBT ADMINISTRATION**

### **Capital Assets**

The Municipality has invested \$60,263,246 in capital assets used in governmental activities, which have an accumulated depreciation and amortization of \$19,025,352 at June 30, 2012. The net capital assets increased during the current fiscal year due to the current fiscal years

Capital additions \$3,516,974, which were partially offset by the depreciation and amortization expense of \$1,454,633, for a net increase of \$2,062,341.

### **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 \$33,140,000 consisting of bonds payable. Such debt is backed by the full faith and credit of the Municipality. During the current year the Municipality issued \$13,095,000 in bonds payable.

The Municipality reported accrued employee compensated absences payable in the amount of \$2,158,031 and an installment loan payable to the U.S. Department of Housing and Urban Development of \$7,615,000.

The Municipality has also certain outstanding notes payable of \$1,326,327. Such notes payable decreased during the current fiscal year, mainly due to the principal payments made during the period.

A provision for future estimated cost of \$7,253,281 is presented for the Solid Waste Landfill closure and post-closure care costs, as required by state and Federal laws and regulations.

With respect to pending or threatened litigation, the Municipality has reported estimated liabilities amounting to \$785,000 for awarded or anticipated unfavorable judgments as of June 30, 2012.

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**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, investor 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: Municipality of Toa Alta, Department of Finance, P.O. Box 82, Toa Alta, Puerto Rico, 00954.

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COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

STATEMENT OF NET ASSETS  
JUNE 30, 2012

ASSETS	2012 <u>GOVERNMENTAL</u> <u>ACTIVITIES</u>	2011 <u>GOVERNMENTAL</u> <u>ACTIVITIES</u>
<u>Current Assets:</u>		
Cash and cash equivalents	\$ 340,799	\$ 56,336
Cash and cash equivalents - restricted	7,924,220	11,095,234
Cash in fiscal agent - restricted	27,003,479	14,634,789
Accounts receivable, net of reserve for doubtful accounts		
Property taxes	1,156,344	342,733
Municipal license taxes	197,341	183,086
Construction excise taxes	313,626	475,254
Sales and use taxes	243,921	159,688
Accrued interest on deposits	117,700	4,800
Intergovernmental grants	438,452	329,447
Other - contribution in lieu of taxes	2,076,325	1,760,528
	<u>4,543,709</u>	<u>3,255,536</u>
Inventories and other assets	<u>121,573</u>	<u>100,000</u>
Total current assets	<u>39,933,780</u>	<u>29,141,895</u>
<u>Noncurrent Assets:</u>		
Capital assets, net of depreciation	<u>41,237,894</u>	<u>39,175,553</u>
Total noncurrent assets	<u>41,237,894</u>	<u>39,175,553</u>
 TOTAL ASSETS	 <u>\$ 81,171,674</u>	 <u>\$ 68,317,448</u>

The accompanying notes are integral part of the financial statements.  
See auditor's report.

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
STATEMENT OF NET ASSETS (continued)  
JUNE 30, 2012

	2012	2011
	<u>GOVERNMENTAL</u>	<u>GOVERNMENTAL</u>
	<u>ACTIVITIES</u>	<u>ACTIVITIES</u>
<b>LIABILITIES</b>		
<u>Current liabilities:</u>		
Accounts payable and accrued liabilities:		
Accounts payable to suppliers	\$ 1,534,107	\$ 1,103,092
Intergovernmental payables	2,479,422	3,201,932
Accrued employees' benefits	470,000	200,000
Matured interest due and payable	737,626	674,963
	<u>5,221,155</u>	<u>5,179,987</u>
Deferred revenues	1,160,534	1,958,476
Deposits and surety	188,146	165,390
Current portion of long-term obligations	2,294,108	2,282,571
Total current liabilities	<u>8,863,943</u>	<u>9,586,424</u>
<u>Noncurrent Liabilities:</u>		
Bonds payable	33,140,000	21,840,000
Notes payable	8,941,327	9,288,897
Solid waste landfill obligation	7,253,281	7,253,281
Claims and judgements	785,000	2,174,535
Compensated absences	2,158,031	1,829,994
Less: Amount reported as current portion	<u>(2,294,108)</u>	<u>(2,282,571)</u>
Total noncurrent liabilities	<u>49,983,531</u>	<u>40,104,136</u>
TOTAL LIABILITIES	<u>58,847,474</u>	<u>49,690,560</u>
<b>NET ASSETS</b>		
Invested in Capital Assets, net of related debt	27,043,809	27,140,789
Non-spendable	100,000	101,023
Restricted	34,232,825	23,159,440
Committed	596,533	459,173
Unassigned (deficit)	<u>(39,648,967)</u>	<u>(32,233,537)</u>
TOTAL NET ASSETS	<u>\$ 22,324,200</u>	<u>\$ 18,526,888</u>

The accompanying notes are integral part of the financial statements.  
See auditor's report.

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

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STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2012

FUNCTIONS / PROGRAMS	PROGRAM REVENUES				2012 TOTAL	2011 TOTAL
	EXPENSES	CHARGES FOR SERVICES	OPERATING GRANTS AND CONTRIBUTIONS	CAPITAL GRANTS AND CONTRIBUTIONS		
<b>GOVERNMENTAL ACTIVITIES:</b>						
General government	\$ 7,923,200	\$ -	\$ 43,356	\$ -	\$ (7,879,844)	(5,160,995)
Urban and economic development	5,089,356		2,088,573	1,132,229	(1,868,554)	(122,045)
Health and sanitation	2,958,398	2,135,154	31,752		(791,492)	(776,312)
Public safety	2,614,629		668,116		(1,946,513)	(2,227,518)
Public housing and welfare	1,957,534		1,580,955		(376,579)	(574,259)
Culture, recreation and education	1,120,328		56,000		(1,064,328)	(961,534)
Interest on long-term obligations	1,140,553				(1,140,553)	(922,516)
Total governmental activities	<u>\$ 22,803,998</u>	<u>\$ 2,135,154</u>	<u>\$ 4,468,752</u>	<u>\$ 1,132,229</u>	<u>\$ (15,067,863)</u>	<u>\$ (10,745,179)</u>
<b>GENERAL REVENUES:</b>						
Property taxes					7,817,522	5,823,080
Municipal license taxes					1,397,096	1,591,195
Construction excise taxes					1,317,178	2,105,485
Sales and use taxes					1,710,193	1,607,328
Intergovernmental grants and contributions					5,577,750	5,263,988
Interest on deposits					715,638	447,536
Miscellaneous					229,798	253,239
TOTAL GENERAL REVENUES					<u>18,765,175</u>	<u>17,091,851</u>
<b>CHANGES IN NET ASSETS</b>						
Net assets - beginning of period					18,626,888	12,280,216
Prior period adjustments					-	-
Net assets - ending of period					<u>\$ 22,324,200</u>	<u>\$ 18,626,888</u>

The accompanying notes are integral part of the financial statements. See auditor's report.

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

BALANCE SHEET  
GOVERNMENTAL FUNDS

JUNE 30, 2012

	GENERAL FUND	DEBT SERVICES FUND	CAPITAL IMPROVEMENT BOND FUND	CAPITAL PROJECT Las Acerolas	Section 108 Loan Guarantee	OTHER GOVERNMENTAL FUNDS	2012 TOTAL GOVERNMENTAL FUNDS	2011 TOTAL GOVERNMENTAL FUNDS
<b>ASSETS</b>								
Cash and cash equivalents	\$ 643,626	\$ -	\$ -	\$ 1,952,201	\$ 3,242,716	\$ 2,426,476	\$ 8,265,019	\$ 11,151,570
Due from fiscal agent	-	5,318,560	21,455,904			229,015	27,003,479	14,634,789
Accounts receivable, net								
Property taxes	659,443	496,901					1,156,344	342,733
Municipal license taxes	197,341						197,341	183,086
Instruction excise taxes	313,626						313,626	475,254
Fees and use taxes	175,530	68,391					243,921	159,688
Accrued interest on deposits	600	300	114,800	200	300	1,500	117,700	4,800
Intergovernmental grants and contribu	300,000	-				138,451	438,451	329,446
Income from other funds	360,945			430,000		1,777,949	2,568,894	2,729,188
State contribution in lieu of taxes	2,076,325						2,076,325	1,760,528
Other miscellaneous	21,573						21,573	-
Investments and other assets	100,000	-	-	-	-	-	100,000	100,000
<b>TOTAL ASSETS</b>	<u>\$ 4,849,009</u>	<u>\$ 5,884,152</u>	<u>\$ 21,570,704</u>	<u>\$ 2,382,401</u>	<u>\$ 3,243,016</u>	<u>\$ 4,573,391</u>	<u>\$ 42,502,673</u>	<u>\$ 31,871,082</u>

accompanying notes are integral part of the financial statements.

See auditor's report.

COMMONWEALTH OF PUERTO RICO  
 MUNICIPALITY OF TOA ALTA  
 FINANCIAL STATEMENT  
 GOVERNMENTAL FUNDS  
 DECEMBER 31, 2012

	GENERAL FUND	DEBT SERVICES FUND	CAPITAL IMPROVEMENT BOND FUND	CAPITAL PROJECT Las Acerolas	Section 108 Loan Guarantee	OTHER GOVERNMENTAL FUNDS	2012 TOTAL GOVERNMENTAL FUNDS	2011 TOTAL GOVERNMENTAL FUNDS
<b>LIABILITIES</b>								
Accounts payable and accrued liabilities:								
Accounts payable to suppliers	\$ 1,534,107	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,534,107	\$ 1,103,092
Intergovernmental payables	2,479,422						2,479,422	3,201,932
Accrued revenues	903,266					257,268	1,160,534	1,958,476
Accrued salaries and surety	188,146						188,146	165,390
Accrued employee benefits	470,000						470,000	200,000
Due to other funds	2,207,949	-	-	-	-	360,945	2,568,894	2,729,188
Accrued bonds due and payable		2,065,000					2,065,000	2,066,000
Accrued interest due and payable	-	737,626	-	-	-	-	737,626	674,963
<b>TOTAL LIABILITIES</b>	<u>7,782,890</u>	<u>2,802,626</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>618,213</u>	<u>11,203,729</u>	<u>12,099,041</u>
<b>FUND BALANCES</b>								
Unexpended available	100,000						100,000	101,023
Restricted:								
Contractual	-	3,081,526	21,570,704	2,382,401	3,243,016	3,955,178	34,232,825	23,159,440
Committed	596,533						596,533	1,295,589
Assigned	461,428						461,428	459,173
Assigned (deficit)	(4,091,842)						(4,091,842)	(5,243,184)
<b>TOTAL FUND BALANCES</b>	<u>(2,933,881)</u>	<u>3,081,526</u>	<u>21,570,704</u>	<u>2,382,401</u>	<u>3,243,016</u>	<u>3,955,178</u>	<u>31,298,944</u>	<u>19,772,041</u>
<b>TOTAL LIABILITIES AND FUND BALANCES</b>	<u>\$ 4,849,009</u>	<u>\$ 5,884,152</u>	<u>\$ 21,570,704</u>	<u>\$ 2,382,401</u>	<u>\$ 3,243,016</u>	<u>\$ 4,573,391</u>	<u>\$ 42,502,673</u>	<u>\$ 31,871,082</u>

Accompanying notes are integral part of the financial statements.

See auditor's report.

## COMMONWEALTH OF PUERTO RICO

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## MUNICIPALITY OF TOA ALTA

## STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

## GOVERNMENTAL FUNDS

FOR THE YEAR ENDED JUNE 30, 2012

	GENERAL FUND	DEBT SERVICES FUND	CAPITAL IMPROVEMENT BOND FUND	CAPITAL PROJECT Las Acerolas	Section 108 Loan Guarantee	OTHER GOVERNMENTAL FUNDS	2012 TOTAL GOVERNMENTAL FUNDS	2011 TOTAL GOVERNMENTAL FUNDS
<b>REVENUES:</b>								
Property Taxes	\$ 4,901,202	\$ 2,916,320	\$ -	\$ -	\$ -	\$ -	\$ 7,817,522	\$ 5,823,080
Municipal license taxes	1,397,096						1,397,096	1,591,195
Construction excise taxes	1,317,178						1,317,178	2,105,485
Sales and use taxes	1,128,890	581,303					1,710,193	1,607,328
Governmental grants and contributions	3,537,094					5,600,981	9,138,075	10,298,084
Contributions in lieu of taxes AEE	2,040,656						2,040,656	1,760,528
Interest on deposits	13,800	3,627	655,800	9,800	16,611	16,000	715,638	447,536
Charges for services	2,135,154						2,135,154	2,151,134
Other miscellaneous	202,004	-	-	-	-	27,794	229,798	253,239
<b>TOTAL REVENUES</b>	<b>16,673,074</b>	<b>3,501,250</b>	<b>655,800</b>	<b>9,800</b>	<b>16,611</b>	<b>5,644,775</b>	<b>26,501,310</b>	<b>26,037,609</b>
<b>EXPENDITURES:</b>								
Capital government	7,536,377		354,604			13,798	7,904,779	6,729,676
Capital economic development	1,618,539					2,598,017	4,216,556	4,540,040
Capital sanitation	2,912,146					31,752	2,943,898	2,909,646
Capital safety	1,887,706					654,223	2,541,929	2,449,501
Capital housing and welfare	300,677					1,642,224	1,942,901	2,421,120
Capital recreation and education	825,538					32,990	858,528	961,534
Capital service:								
Principal	1,529,289	1,474,000					3,003,289	2,015,317
Interest	120,543	1,020,010					1,140,553	922,516
Outlays	-	-	1,133,158	-	1,362,842	1,020,974	3,516,974	5,142,425
<b>TOTAL EXPENDITURES</b>	<b>16,730,815</b>	<b>2,494,010</b>	<b>1,487,762</b>	<b>-</b>	<b>1,362,842</b>	<b>5,993,978</b>	<b>28,069,407</b>	<b>28,091,775</b>
<b>CHANGES OVER(UNDER) EXPENDITURES</b>	<b>(57,741)</b>	<b>1,007,240</b>	<b>(831,962)</b>	<b>9,800</b>	<b>(1,346,231)</b>	<b>(349,203)</b>	<b>(1,568,097)</b>	<b>(2,054,166)</b>

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
GOVERNMENTAL FUNDS  
FOR THE YEAR ENDED JUNE 30, 2012.  
(continued)

	GENERAL FUND	DEBT SERVICES FUND	CAPITAL IMPROVEMENT BOND FUND	CAPITAL PROJECT Las Acerolas	Section 108 Loan Guarantee	OTHER GOVERNMENTAL FUNDS	2012 TOTAL GOVERNMENTAL FUNDS	2011 TOTAL GOVERNMENTAL FUNDS
<b>OTHER FINANCING SOURCES (USES):</b>								
Capital related debt issued	\$ -	\$ -	\$ 13,095,000	\$ -	\$ -	\$ -	\$ 13,095,000	\$ 9,495,000
Municipal debt issued	-	-	-	-	-	-	-	1,910,000
Transfers	511,259	(2,898)	(542,000)	(9,618)	-	43,257	-	-
<b>TOTAL OTHER FINANCING SOURCES</b>	<u>511,259</u>	<u>(2,898)</u>	<u>12,553,000</u>	<u>(9,618)</u>	<u>-</u>	<u>43,257</u>	<u>13,095,000</u>	<u>11,405,000</u>
<b>CHANGES IN FUND BALANCES</b>	453,518	1,004,342	11,721,038	182	(1,346,231)	(305,946)	11,526,903	9,350,834
Periods Reclassification							-	-
Period Adjustments							-	-
<b>BALANCES, BEGINNING OF YEAR</b>	<u>(3,387,399)</u>	<u>2,077,184</u>	<u>9,849,666</u>	<u>2,382,219</u>	<u>4,589,247</u>	<u>4,261,124</u>	<u>19,772,041</u>	<u>10,421,207</u>
<b>BALANCES, END OF YEAR</b>	<u>\$ (2,933,881)</u>	<u>\$ 3,081,526</u>	<u>\$ 21,570,704</u>	<u>\$ 2,382,401</u>	<u>\$ 3,243,016</u>	<u>\$ 3,955,178</u>	<u>\$ 31,298,944</u>	<u>\$ 19,772,041</u>

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Accompanying notes are integral part of the financial statements.

See auditor's report.

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA

RECONCILIATION OF THE STATEMENT OF REVENUES,  
EXPENDITURES AND CHANGES IN FUND BALANCES OF  
GOVERNMENTAL ACTIVITIES

FOR THE YEAR ENDED JUNE 30, 2012

The amounts of governmental activities reported in the statement of activities and the statement of revenues, expenditures and changes in fund balances - governmental funds, are different for the following reasons:

Net changes in fund balances reported for total governmental funds	\$ 11,526,903
Reconciling items - Add (Deduct):	
Governmental funds report capital outlays as expenditures. However in the statement of activities the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays (\$3,516,974) exceed depreciation expense (\$1,454,633) in the current period	2,062,341
Some revenues and expenses, net, reported in the statement of activities do not necessarily provide nor require the use of current financial resources, therefore, are not reported as revenues nor expenditures in the governmental funds. This is the net change in payables and receivables associated with those type of transactions.	199,779
Bonds proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the statement of net assets. Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets. This is the amount by which proceeds (\$13,095,000) exceeded repayments (\$3,003,289).	<u>(10,091,711)</u>
Net changes in net assets reported for governmental activities	<u>\$ 3,697,312</u>

The accompanying notes are integral part of the financial statements.  
See auditor's report.

COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS,  
TO THE STATEMENT OF NET ASSETS  
FOR THE YEAR ENDED JUNE 30, 2012

	<u>2012</u>	<u>2011</u>
The amounts of governmental activities reported in the statement of net assets and the balance sheet - governmental funds, are different for the following reasons:		
Total fund balances reported in the balance sheet - governmental funds	\$ 31,298,944	\$ 30,856,838
Reconciling items - Add (Deduct):		
Capital assets used in governmental activities are not considered available financial resources, therefore, are not reported in the governmental funds. This is the carrying amount of capital assets, net of accumulated depreciation and amortization of \$19,025,352.	41,237,894	39,175,553
Long term liabilities are not due in the current fiscal year, therefore, are not reported in the governmental funds, less current maturity which is considered in the governmental funds. Bonds and notes payable net of matured installments of \$2,065,000.	<u>(50,212,638)</u>	<u>(40,320,706)</u>
Net assets - governmental activities, as reported in the statement of net assets	<u>\$ 22,324,200</u>	<u>\$ 29,711,685</u>

The accompanying notes are integral part of the financial statements.  
See auditor's report.

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
**Notes to Financial Statements**  
**June 30, 2012**

**1. Summary of Significant Accounting Policies**

The Municipality of Toa Alta (the Municipality) is a local municipal government constituted in the Commonwealth of Puerto Rico (the Commonwealth). The Municipality has full legislative, fiscal and all other governmental powers and responsibilities expressly assigned by Public Act No. 81 of August 30, 1991, as amended, known as *Autonomous Municipalities Act of the Commonwealth of Puerto Rico* (Act No. 81). The Municipality is one of seventy-eight municipalities legally separated from the Commonwealth's government.

The Commonwealth's Constitution provides for the separation of powers of the executive, legislative and judicial branches of the Commonwealth and the municipalities. However, the Municipality's governmental system consists of executive and legislative branches only. A Mayor, elected every four years by the citizens, exercises the executive power of the Municipality. The Municipal Legislature, whose members are also elected every four years, exercises the legislative power of the Municipality. The General Justice Court System of the Commonwealth, which has jurisdiction over the Municipality, exercises the judiciary power.

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

**a) Financial Reporting Model**

The accompanying basic financial statements present the financial position and the results of operations of the Municipality as a whole, and its various governmental funds as of and for the fiscal year ended 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).

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 required basic 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).

The RSI consist of: (1) a Management's Discussion and Analysis (MD&A) and (2) a budgetary comparison schedule - general fund. RSI is information presented along with, but separate from, the Municipality's basic financial statements. The MD&A is a narrative report that introduces the accompanying basic financial statements and provides a 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.

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
**Notes to Financial Statements**  
**June 30, 2012**

**a) *Financial Reporting Model – (continued)***

Other supplementary information presented in this report for purposes of additional analysis consists of a budgetary comparison schedule - debt service fund.

**b) *Financial Reporting Entity***

The accompanying basic financial statements include all departments, agencies and municipal operational units that are under the legal and administrative control of the Mayor, and whose financial resources are under the legal custody and control of the Municipality's Director of Finance and Budget, as prescribed by Act No. 81.

The Municipality's management has considered all potential component units (whether governmental, not-for-profit, or profit-oriented) 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.

GASB Statement No. 14, *The Financial Reporting Entity* (GASB No. 14), as amended, has set forth criteria to be considered in determining financial accountability for financial reporting purposes. These criteria include appointing a voting majority of an organization's governing body and: (1) the ability of the Municipality to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Municipality.

On July 1, 2004, the Municipality adopted the provisions of GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units - an Amendment of GASB Statement No. 14* (GASB No. 39). GASB No. 39 states that certain organizations for which a primary government is not financially accountable nevertheless warrant inclusion as part of the financial reporting entity because of the nature and significance of their relationship with the primary government, including their ongoing financial support of the primary government and its other component units.

According to GASB No. 39, a legally separate, tax-exempt organization should be reported as a discretely presented component unit of a reporting entity if all of the following criteria are met:

The economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents.

The primary government, or its component units, is entitled to, or has the ability to otherwise access, a majority of the economic resources received or held by the separate organization.

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***b) Financial Reporting Entity – (Continued)***

The economic resources received or held by an individual organization that the specific primary government or its component units, is entitled to or has the ability to otherwise access, are significant to that primary government.

In addition, GASB No. 39 states that other organizations should be evaluated as potential component units if they are closely related to, or financially integrated with, the primary government. Such types of entities may be presented as either blended or discretely presented component units, depending upon how they meet the criteria for each specified in GASB No. 14.

The Municipality's management has concluded that, based on the aforementioned criteria, there are no legally separate entities or organizations that should be reported as component units of the Municipality for the fiscal year ended June 30, 2012.

***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 report information of all governmental activities of the Municipality as a whole. These statements are aimed at presenting a broad overview of the Municipality's finances by reporting its financial position and results of operations using methods that are similar to those used by most private businesses.

The focus of GWFS is on the operational accountability of the Municipality as a single economic unit and not on compliance with budgets, regulatory requirements or on the use of available or currently expendable financial resources (referred to as fiscal accountability). 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 by presenting all of the Municipality's assets and liabilities, with the difference between these two items reported as "net assets" (equity) and/or accumulated deficit. 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, this statement reports the extent to which the Municipality has invested in capital assets and discloses legal and contractual restrictions on resources.

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

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**Invested in capital assets, net of related debt** - This net asset category consists of capital assets, net of accumulated depreciation and amortization, reduced by the outstanding balances of bonds payable, notes payable and other debts 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 has been reduced by any related unspent debt proceeds and any related unamortized debt issuance costs.

**Restricted net assets** - This net asset category consists of net resources 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 consists of 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.

The Municipality has reported the following types of restricted net assets in the accompanying statement of net assets:

- (1) **Debt service** - Represent net resources available to cover future debt service payments of bonds and notes payable.
- (2) **Grants and contributions** - Represent net resources available from certain federal and state grants, which have been set aside to carry out several programs.
- (3) **Capital projects** - Represent net resources available for the acquisition, construction or improvement of capital assets.

**Unrestricted** - This category consists of the excess of liabilities over related assets (accumulated deficit) that are neither externally nor legally restricted, neither invested in

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**c) Government-wide Financial Statements- (continued)**

capital assets. However, assets reported within unrestricted net liabilities often are designated to indicate that management does not consider them to be available for general operations. Assets reported within this category 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 Municipality's results of operations by showing how the Municipality's net assets or liabilities changed during the fiscal 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 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) public housing and welfare. 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
- Department of planning and budget
- Department of human resources
- Department of municipal secretary
- Department of internal audit
- Department of general services

**Urban and economic development:**

- Department of public work

**Public safety:**

- Department of emergency management
- Department of municipal police

**Health and sanitation:**

- Department of health

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**Culture, recreation and education:**

Department of sports and recreation  
Department of tourism and cultural development

**Public housing and welfare:**

Department of public housing  
Department of federal programs  
Elderly Center

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 three broad categories: (1) program revenues, (2) general revenues and (3) special items.

*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: (1) the net cost of the function/program that must be financed from the Municipality's general revenues or (2) the net program revenue that contributes to the Municipality's general revenues. The accompanying statement of activities separately reports the following categories of program revenues:

**Charges for services** - These revenues 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 revenues include fees charged for specific services, charges for licenses and permits, and fines and forfeitures, among others.

**Program-specific operating and capital grants and contributions** - These revenues 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. 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. Capital grants and contributions consist of revenues or resources that are restricted for capital purposes - to purchase, construct or renovate capital assets associated with a specific program. Restricted operating and capital 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 and construction excise taxes are reported as general revenues. All other non-tax revenues

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(including unrestricted interest on deposits, 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.

Special items consist of revenues arising from significant transactions or other events within the control of management that are either unusual in nature or infrequent in occurrence.

The general government function/program reported in the accompanying statement of activities includes expenses that are, in essence, indirect or costs of other functions/programs of the Municipality. Even though some of these costs have been charged to certain Funds in the GFFS as indirect cost allocations permitted under some federal programs, the Municipality has reported these indirect costs as direct expenses of the general government function. Accordingly, the Municipality generally does not allocate general government (indirect) costs to other functions.

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

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 GFFS.

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 financed and operated in a manner similar to private business enterprises, where the costs of providing goods or services to the general public (expenses, including

Depreciation) is financed primarily through user charges, or where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

**d) *Governmental Fund Financial Statements***

A fund is a fiscal and accounting entity consisting of a self-balancing set of accounts used to record assets, liabilities and residual equities, deficits or balances, and changes therein,

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**d) Governmental Fund Financial Statements – (continued)**

which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with GAAP and/or special regulations, restrictions or limitations.

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 governmental 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 fiscal year have complied with public decisions concerning the raising and spending of public moneys in the short term (generally one fiscal year).

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, except for financial resources required to be accounted for 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.

**Debt service fund** - The debt service fund is a major governmental fund, as defined below used by the Municipality to account for the accumulation of resources for, and the payment of, 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 and notes payable.

The outstanding balance of general long-term debts for which debt service payments do not involve the advance accumulation of resources (such as notes payable, obligations under

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**d) Governmental Fund Financial Statements- (continued)**

capital leases, accrued compensated absences, accrued legal claims and judgments and the federal cost disallowances) are only accounted for in the accompanying statement of net assets. The debt service payments of such debts are generally accounted for as debt service - principal and debt service - interest expenditures in the general fund.

**Special revenue funds** - The special revenue funds are non-major governmental funds, as defined below, used by the Municipality to account for revenues derived from grants, contributions or other revenue sources that are either self-restricted by the Municipality or legally restricted by outside parties for use in specific purposes (except for revenues that are earmarked for expenditures in major capital projects which are accounted for in the capital project funds). The uses and limitations of each special revenue fund are specified by municipal ordinances or federal and state statutes. However, resources 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.

**Capital projects funds** - Capital projects funds are non-major governmental funds, as defined below, used to account for the financial resources used for the acquisition, construction or improvement of major capital facilities and other assets. Significant capital outlays financed from proceeds of general obligation, public improvement or special obligation bonds accounted for also in the capital projects funds. The use of the capital projects funds has been reserved 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 capital 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 governmental fund is classified as a major governmental fund in the GFFS 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,

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governmental funds. For the purposes of applying the aforementioned major fund criteria no eliminations of inter-fund balances have been made. Total revenues for these purposes means all revenues, including operating and non-operating revenues (net of allowances for uncollectible accounts), except for other financing sources. Total expenditures for these purposes mean all expenditures, including operating and non-operating expenditures, except for other financing uses.

Based on the aforementioned criteria, the Municipality's major governmental funds reported in the accompanying GFFS are: (1) the general fund, (2) the capital projects - Las Acerolas Project fund (3) the bond issuance fund (4) the debt service fund, and (5) the Section 108 - Loan Guarantee fund.

The bond issuance fund is a major capital projects fund used to account for the receipts and disbursements of the proceeds arising from grants and issuance of general obligation and permanent improvement serial bonds used in the acquisition, Construction or improvement of major capital facilities and assets.

The accompanying GFFS are accompanied by other statements and schedules required by GAAP: (1) the reconciliation of the balance sheet - governmental funds to the statement of net assets, and (2) the reconciliation of the statement of revenues, expenditures and changes in fund balances - governmental funds to the statement of activities.

**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 on deposits) 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 certain charges for services and miscellaneous revenues, which 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 using the criteria set forth by GASB Statement No. 33, *Accounting and Financial Reporting for Non-exchange Transactions* (GASB No.33). GASB No. 33

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**e) *Measurement Focus and Basis of Accounting- (continued)***

established accounting and reporting standards for non-exchange transactions involving cash and financial or capital resources (for example, most taxes, grants and private donations). In a non-exchange 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 non-exchange transactions into the following four classes in the accompanying basic financial statements: (a) derived tax revenues, (b) imposed non-exchange revenues, (c) government mandated non-exchange transactions, and (d) voluntary non-exchange transactions.

In the case of derived tax revenue transactions, which result from assessments the Municipality places on exchange transactions, receivables and revenues are recorded when the underlying exchange has occurred.

In the case of imposed non-exchange revenue transactions (such as property taxes and municipal license 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 and municipal license are generally recorded as revenues (net of amounts considered not collectible) in the fiscal year when resources are required to be used for the first fiscal year 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 the Municipality and the provider government requires the Municipality to use those resources for a specific purpose or purposes established in the provider's enabling legislation. In these type of transactions, receivables and revenues are generally recorded when all eligibility requirements imposed by the provider have been met. For the majority of grants, 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.

Voluntary non-exchange transactions (such as donations and certain grants and entitlements) result from legislative or contractual agreements, other than exchanges, willingly entered into 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. 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.

Receipts of any type of revenue sources collected in advance for use in the following fiscal Year is recorded as deferred (unearned) revenues.

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**e) *Measurement Focus and Basis of Accounting- (continued)***

According to GASB No.34, all general capital assets and the un-matured 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 GFFS. Therefore, the accompanying GFFS include reconciliations, as detailed in the accompanying table of contents, to better identify the relationship between the GWFS and the GFFS.

Governmental fund financial statements - The accompanying GFFS are reported using the current financial resources measurement focus (flow of current financial resources) and the modified accrual basis of accounting. Accordingly, the accompanying statement of revenues, expenditures and changes in fund balances - governmental funds, reports changes in the amount of financial resources available in the near future as a result of transactions and events of the fiscal year reported. Therefore, revenues are generally recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current fiscal year or soon enough thereafter to pay liabilities of the current fiscal 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 (unavailable) revenues at June 30, 2012.

The principal revenue sources considered susceptible to accrual include property taxes, municipal license taxes, construction excise taxes, intergovernmental grants and contributions, interest on deposits and charges for services. These principal revenue sources meet both measurability and availability criteria in the accompanying GFFS, except for amounts recorded as deferred (unavailable) revenues.

In a manner similar to the GWFS, but subject to and limited by the availability criteria discussed previously, 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, certain 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 that the use of the resources is permitted.

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**e) *Measurement Focus and Basis of Accounting- (continued)***

Receivables and revenues from federal and state grants and contributions donations and entitlements are also generally recorded when all eligibility requirements imposed by the provider have been met (generally, as qualifying reimbursable expenditures are incurred).

Interest on deposits is recorded when earned only if collected within 90 days after the fiscal year-end since these revenues 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* (GASBI 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 in a timely manner and in full with current available financial resources. GASBI 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 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 un-matured 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 GASBI 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 funds (generally, June 30).

Notes payable and compensated absences are recorded only when they mature (when payment is due).

Certain accounts payable, intergovernmental payables and other accrued liabilities not due and payable or not normally expected to be liquidated in full and in a timely manner with 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 a reservation of fund balance in the GFFS.

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***e) Measurement Focus and Basis of Accounting- (continued)***

The measurement focus of the GFFS is on decreases of 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.

***f) Stewardship, Compliance, and Accountability***

**Budgetary Control**

According to Act No. 81, 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. 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 budgets are prepared.

The Mayor must submit, for each fiscal year commencing on July 1, an annual budgetary resolution project (the Project) to the Commissioner of Municipal Affairs of the Commonwealth (the Commissioner) and the Municipal Legislature no later than the immediately preceding May 10 and May 15, 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 the immediately preceding June 13.

The Municipal Legislature has 10 business days, up to the immediately preceding June 13, 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 approve new budgets. This regulation permits the Municipality to continue doing

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**f) Stewardship, Compliance, and Accountability – (continued)**

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 fiscal 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 purposes, 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 function/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 using the budgetary (statutory) basis of accounting, which is not in accordance with GAAP.

According to the budgetary basis of accounting, revenue is generally recorded 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 fiscal year after the end of the fiscal year. Amounts required settling 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 fiscal year-end. Other appropriations, mainly capital projects appropriations, are continuing accounts for which the

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**f) Stewardship, Compliance, and Accountability- (continued)**

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 - general fund provides information about the general fund's original budget, its amendments and the actual results of operations of such major governmental fund 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, which is prepared by the Municipality's Department of Finance. Copies of that report may be obtained by writing to the Municipality's Director of Finance.

Because accounting principles applied for the purposes of the developing data on a budgetary basis differ significantly from those used to present the governmental fund financial statements in conformity with GAAP, a reconciliation of the differences between the general and debt service funds' budgetary bases and GAAP actual amounts are presented at the bottom of the respective budgetary comparison schedules.

**g) Unrestricted and Restricted Deposits**

The Municipality's deposits are composed of: (1) cash on hand, (2) demand deposits in commercial banks, and (3) demand deposits in the Government Development Bank for Puerto Rico (fiscal agent).

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). Agents designated by the Commonwealth's Secretary of the Treasury, but not in the Municipality's name hold all securities pledged as collateral.

Cash in fiscal agent in the debt service fund consists of cash related to property tax collections amounting to \$5,318,560, which is restricted for the payment of the Municipality's debt service, as required by law. Cash in fiscal agent in the bond issuance fund, amounting to \$21,455,904 consists of unspent proceeds of bonds, which are restricted for the acquisition, construction or improvement of capital assets.

Cash in fiscal agent recorded in other governmental funds, amounting to \$229,015, represents mainly the balance of interest and non-interest bearing accounts restricted to finance the operations of certain federal and state funded programs.

**h) Unrestricted and Restricted Accounts Receivable**

Accounts receivable consist of all revenues earned but not collected at June 30, 2012. These accounts receivables are stated net of estimated reserved for doubtful accounts.

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***h) Unrestricted and Restricted Accounts Receivable – (continued)***

which are determined based upon past collection experience, historical trends, current economic conditions and the periodic aging of accounts receivable.

Activities among governmental funds that are representative of lending/borrowing arrangements outstanding at time end of the fiscal year are referred to as either "due to/from other funds" (i.e. the current portion of inter-fund loans) or "advances to/from other funds" (i.e., the non-current portion of inter-fund loans), as applicable. All other outstanding balances between funds are reported as "due to/from other funds."

***i) Capital Assets***

Capital assets used in governmental activities include land and land improvements, buildings, structures and building improvements, machinery and equipment (including equipment held under capital leases), 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.

For financial reporting purposes, the Municipality defines capital assets as assets with an individual cost basis of \$500 or more at the date of acquisition, construction or improvement, and with useful lives extending beyond one year. All assets with individual costs under \$500 or with useful lives not exceeding one year, are charged directly to expense in the government-wide statement of activities. In the governmental funds, all capital assets are recorded as capital outlays (expenditures), while all assets with individual costs under \$500 are recorded as expenditures in the corresponding function/program identified with the asset.

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. Estimated historical costs based on deflated current costs were used to value a significant portion of the infrastructure constructed or acquired prior to June 30, 2003 and certain lands, buildings, structures and building improvements. The method used to deflate the current costs with an approximate price index was used only in the case of certain items for which the historical cost documentation was not available. Actual historical costs were used to value the infrastructure acquired or constructed after June 30, 2003 as well as, construction in progress, machinery and equipment and licensed vehicles acquired prior or after such date.

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.

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**i) Capital Assets – (continued)**

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	20
Buildings, structures and building improvements	30 to 50
Infrastructure	20 to 50
Motor vehicles	5
Furniture, fixtures, machinery and equipment, Excluding those held under capital leases	5 to 20
Equipment held under capital leases	3 to 5

Depreciation and amortization expense of capital assets is recorded as a direct expense 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**

In the GFFS, deferred revenue arises when one of the following situations occur:

Potential revenue does not meet both the “measurable” and “available” criteria for revenue recognition in the current period (reported as “*earned but unavailable revenue*” in the accompanying balance sheet-governmental funds). As previously discussed, available is defined as due (or past due) at June 30, 2012 and collected within 90 days (60 days for property taxes) thereafter to pay obligations due at June 30. In subsequent periods, when both criteria (measurable and available) are met, the liability for deferred revenue is removed and revenue is recognized.

The Municipality receives resources before it has a legal claim to them (reported as “*unearned revenue*” in the accompanying balance sheet-governmental funds). 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 (reported as “*unearned revenue*” in the accompanying statement of net assets). No “*earned but unavailable revenue*” is accounted for in the accompanying statement of net assets.

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**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 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 that is outside the control of the Municipality and the employee (such as illness). Compensated absences that relate to future services or are contingent on a specific event outside the control of the employer or the employee are accounted for in the period when those services are rendered or those events take place.

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 provides for the accumulation of regular vacations at a rate of 2.5 days per month (30 days per fiscal year) per employee. Employees accumulate regular sick leave at a rate of 1.5 days per month (18 days per fiscal 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 fiscal year, if not consumed, as required by law. In the case of compensatory time, the excess of 240 hours is paid to employees each fiscal 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 before reaching 10 years of services, such regular sick leave is not paid to the employee, if not consumed. In addition upon termination of employment, an employee does not receive compensation for compensatory time, if not consumed previously.

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 when matured (when payment is due), for example, as a result of employee resignations or retirements.

**l) *Long-term Debt***

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

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**l) Long-term Debt – (continued)**

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 on July 1, 2012 have been recorded as governmental fund liabilities in the GFFS when resources were available in the debt service fund (June 30, 2012). In the GFFS, the face amount of debt issued (gross debt reported) is reported as other financing sources when issued.

In the GWFS debt issuance costs have been capitalized and reported as deferred charges, which are being amortized under the straight-line method over the life of the debt. In the GFFS, such costs are recorded as expenditures as incurred.

Non-interest bearing notes payable are accounted for under the provisions of Opinion No. 21, *Interest on Receivables and Payables*, issued by the Accounting Principles Board (APB No. 21). According to APB No. 21, the Municipality has recorded such notes at present value with an imputed interest rate that approximates the rate that would have been used, using the same terms and conditions, if it had been negotiated by an independent lender. In the accompanying statement of net assets, such notes payable are reported net of the applicable unamortized discount, which is the difference between the present value and the face amount of the notes. The discount is amortized over the life of the notes using the effective interest method. Amortization of the notes discount is recorded as part of interest expense in the statement of activities. In the GFFS, notes discount is recognized as other financing uses during the current period.

**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 is considered to be the sponsor of the Employees' Retirement System of the Government of the Commonwealth of Puerto Rico (formerly Employees' Retirement System of the Government of Puerto Rico and Its Instrumentalities)(ERS) and System 2000, a multi-employer cost-sharing defined benefit pension plan and a hybrid defined contribution plan, respectively, in which the employees of the Municipality participate. 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 employees of the Commonwealth and the basic financial statements of such retirement systems are part of the financial reporting entity of the Commonwealth. Accordingly, no portion of the net pension obligation (NPO) related to ERS has been allocated to the Municipality in the accompanying basic financial statements. The basic financial statements of the Commonwealth report the total amount of the net pension obligation of ERS, including any amount that may correspond to the Municipality.

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

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***m) Accounting for Pension Costs – (continued)***

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 Commonwealth's Department of Treasury (the Department of Treasury) on behalf of all municipalities of Puerto Rico. The Department of Treasury pays the insurance premiums on behalf of the Municipality and then is reimbursed each fiscal year through monthly equal payments deducted from the Municipality's gross property tax collections made by the Municipal Revenue Collection Center ("CRIM" by its Spanish acronyms), a governmental entity responsible for billing and collecting property taxes on behalf of all municipalities of Puerto Rico.

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), a 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 applicable at June 30, 2012 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 (SIFC), 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 stiffened 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 cost reimbursement basis.

The Municipality also obtains medical insurance coverage from several health insurance companies for its employees. Different health insurance coverage and premium options are negotiated each year by the Department of Treasury on behalf of the Municipality. The current insurance policies have not been canceled or terminated at June 30, 2012. Premiums are paid on a monthly basis directly to the insurance company. In the past three years, the Municipality has not settled claims that exceeded insurance coverage.

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**o) Reservations of Fund Balances**

Reservations of fund balances represent portions of fund balances in the GFFS that are legally segregated for specific future uses or are not appropriated for expenditure. In March 2009, the Governmental Accounting Standards Board

(GASB) issued GASB 54 in an effort to improve the consistency in reporting fund balance components, enhance fund balance presentation improve the usefulness of fund balance information and clarify the definition of the governmental fund types.

In summary, GASB 54 introduces entirely new terminology and classification of fund balances in Governmental funds. This new standard also establishes a hierarchy of fund classifications as follows:

1. Non-spendable amounts: That is, the fund balance which cannot be spent as they are associated with assets such as prepaid expenses, long term receivables or permanent fund principal.
2. Spendable amounts: These amounts can be spent, but are classified based on the relative strength of the constraints that control the purposes for which specific amounts can be spent. Beginning with the most binding constraints, these classifications are:

**Restricted Fund Balance:** This balance represents amounts that are constrained for a specific purpose through restrictions of external parties (i.e. creditors, grantors, contributors, or laws or regulations of other governments), or by constitutional provisions or enabling legislation, pursuant to the definition of "restricted" in paragraph 34 of GASB 34, as amended by GASB 46.

**Committed Fund Balance:** This balance represents amounts that are constrained for specific purposes imposed by a formal action of the government's highest level of decision making authority (i.e. amounts that have been committed by a governing body legislation, ordinance or resolution for a specific purpose). Furthermore, fund balances cannot be used for other purpose unless the government used the same acting it took to originally commit the amounts.

**Assigned Fund Balance:** This balance represents amounts that are constrained by the government's intent to be used for a specific purpose, but are neither restricted nor committed. Intent should be expressed by (1) the governing body itself (2) a body (e.g. a budget committee) or official to whom the governing body has delegated authority to assign amounts to be used for specific purposes. The key distinction between committed and assigned is that committed monies are set by the highest authority (i.e. the board) and such restrictions can only be removed by this authority.

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**o) Reservations of Fund Balances – (continued)**

**Unassigned Fund Balance:** This balance represents the residual amounts for a government's General Fund; it includes all amounts that are not classified in the previous three categories (restricted, committed and assigned). Furthermore only the General Fund can report unrestricted fund balance.

**p) Inter-fund 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. Inter-fund receivables, which are not considered to be currently available financial resources, are reported as "advance". 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, 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 statements that have effective dates after June 30, 2012.

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*r) Future Adoption of Accounting Pronouncements – (continued)*

<u>Statement Number</u>	<u>Statement Name</u>	<u>Adoption Required in Fiscal Year</u>
60	Accounting and Financial Reporting for services Concession Arrangements	2012-13
61	The Financial Reporting Entity: Omnibus - on Amendment of GASB No. 14 and 34	2012-13
62	Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements	2012-13
63	Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources' and Net Position	2012-13
64	Derivative Instruments: Application of Hedge Accounting Termination Provisions	2012-13
65	Items Previously Reported as Assets and Liabilities	2013-14
66	Technical Corrections 2012, an amendment of GASB Statements No. 10 and No. 62	2013-14

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

**2. Deposits**

The Municipality maintains its deposits in various commercial banks located in Puerto Rico and the Government Development Bank for Puerto Rico (GDB).

Proceeds from bonds and funds related to certain grant awards are required by law to be held with GDB.

On July 1, 2005, the Municipality adopted the provisions of GASB Statement No. 40 (GASB No. 40), *Deposit investment Risk Disclosure, an Amendment in 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:

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**2. Deposits – (continued)**

1. Credit risk, 2 interest rate risk, 3 custodial credit risk, and 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 and credit risk policy, the *Statement of Investment Guidelines for the Government of the Commonwealth of Puerto Rico*. Accordingly, the Municipality invests only in 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 does not invest in marketable securities or any other types 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 are 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 investment portfolio at June 30, 2012, (2) limiting the weighted average maturity of its investments to three months or less, and (3) keeping most of its bank deposits in interests bearing accounts generating interests at prevailing market rates. At June 30, 2012, the Municipality's cash balances are recorded at cost, which approximates their fair value. Therefore, the Municipality's management has concluded that at June 30, 2012, the interest rate risk associated with the Municipality's cash and cash equivalents 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 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 with GDB are uninsured and uncollateralized. However, no losses related to defaults by GDB on deposit transactions have been incurred by the Municipality through June 30, 2012. Therefore, the Municipality's management has concluded that at June 30, 2012, the custodial credit risk associated with the Municipality's cash is considered low.

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**2. Deposits – (continued)**

**Foreign exchange risk** — The risk that changes in exchange rates will adversely affect the value of an investment or a deposit. According to the aforementioned investment guidelines, 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.

**3. Municipal License Taxes**

The Municipality is authorized by Act No. 81 to impose and collect municipal license taxes to any natural or legal person having trade or business activities within the territory of Toa Alta. This is a self-assessed tax generally based on the business volume of taxpayers, measured by gross revenues. The Municipality establishes the applicable tax rates. At June 30, 2012, the municipal license tax rates imposed by the Municipality were 1.50 percent for financial institutions and 0.50 percent for other types of taxpayers.

Any taxpayers that have been granted with a partial tax exemption under any of the tax incentive acts of the Commonwealth ultimately pay municipal license taxes at reduced tax rates, generally between 60 percent and 90 percent under standard rates.

Each taxpayer must assess the corresponding municipal license tax by declaring the volume of business through a tax return filed every April 15, based on the actual volume of business (revenues) earned in the preceding calendar year. Taxpayers with a sales volume of \$3 million or more must include audited financial statements with their tax return filings. 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 on April 15. 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 percent discount is granted automatically on the total tax amount due.

Any municipal license taxes collected in advance (that is, pertaining to a future fiscal year) are recorded as unearned revenues in the GWFS and the GFFS. Total municipal license tax receivable amounted to \$197,341 at June 30, 2012.

**4. Property Taxes**

The Municipality is authorized by Act No. 81 to impose and collect property taxes from any natural or legal person that, at January 1 of each calendar year: (1) is engaged in trade or business and is the owner of personal or real property used in trade or business or (2) owns residential real property with a value in excess of \$15,000 (at 1957 estimated market prices).

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**4. Property Taxes – (continued)**

CRIM is responsible for the billings and collections of real and personal property taxes on behalf of the Municipality. Prior to the beginning of each fiscal year, CRIM informs to the Municipality the estimated amount of property tax expected to be collected for the ensuing fiscal year. Throughout time fiscal year, CRIM advances funds to the Municipality based on the initial estimated collection amounts for the fiscal year. 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 the property tax amounts actually collected from taxpayers on behalf of the Municipality during the fiscal year. This settlement bias to be completed on a preliminary basis not later than December 31 following the fiscal year end.

Personal property taxes are self-assessed by taxpayers every year 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 8.03 percent (of which taxpayers pay 7.83 percent and the remaining 0.20 percent is paid by the Department of Treasury, as a subsidy).

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 10.53 percent (of which 10.33 percent is paid by taxpayers and the remaining 0.20 percent is also paid by time Department of Treasury, as a subsidy).

Residential real property occupied by its owner (not engaged in trade or business) is exempt from property taxes, only on the first \$15,000 of the assessed value (at 1957 market prices). For exempt amounts, the Department of Treasury assumes the payment of the basic tax (4.00 percent and 6.00 percent for personal and real property, respectively), except for property assessed for less than \$3,500 (at 1957 market prices), for which no payment is made by the Department of Treasury.

According to Act No. 81, included within the total personal and real property tax rates of 7.83 percent and 10.33 percent, respectively, there is a levy of an annual special tax of 1.03 percent of the assessed value of all real and personal property not exonerated from taxation. This special tax is levied by the Commonwealth and is collected by CRIM. Collections of this special tax are directly remitted by CRIM to the Commonwealth's debt service fund, for the payment of the general long-term debt of the Commonwealth.

In addition, included within the total personal and real property tax rates of 7.83 percent and 10.33 percent, respectively, there is a portion of the tax rate in the amount of 2.00 percent that is restricted for the Municipality's debt service requirements on bonds. Such amounts are recorded in the Municipality's debt service fund.

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**4. Property Taxes – (continued)**

Furthermore, included within the total personal and real property tax rates of 7.83 percent and 10.33 percent, respectively, there is a portion of the tax rates that is recorded in the Municipality's general fund, of which a portion is restricted for the payment of: (1) time insurance premiums acquired through the Department of

Treasury, (2) the monthly contributions to CRIM, which are statutorily required as the Municipality's share of CRIM operating expenses, (4) statutory contributions to the Puerto Rico Health Services Administration (PRHSA), as the Municipality's share of the cost of the public health insurance coverage provided to qualifying low-income citizens, (5) certain notes payable to CRIM and, (6) certain amounts due to certain agencies and component units of the Commonwealth, which are recorded within intergovernmental payables in the accompanying GWFS and GFFS. The 0.20 percent of unrestricted personal and real property taxes paid by the Department of Treasury as a subsidy is recorded in the Municipality's general fund.

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

Thirty five percent of its net earnings (defined as the excess of revenues over expenses less an amount earmarked for the Fund for Remit 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.

An additional amount not exceeding \$16 million, on an annual basis, is distributed to the Municipal Equalization Fund, provided it is within the thirty-five percent corresponding to the municipalities of the Commonwealth. When the accumulated municipal appropriations from the municipalities' Puerto Rico Health Reform are covered, these resources will be assigned to PRHSA.

**5. Sales and Use Taxes**

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

Act 80 also provides for restrictions on the use of the resources (including the 5 of 1.5% collected by The Commonwealth Government) to be invested in solid waste and recycling

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**5. Sales and Use Taxes – (continued)**

programs, capital improvements and health and public safety cost. Amount collected by the Commonwealth Government will be deposited in accounts of special funds in the Government Development Bank of Puerto Rico ("GDB"), subject to restrictions imposed and distributed as follows:

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

**6. Inter-Fund Transactions**

The composition of inter-fund balances at June 30, 2012 and for the fiscal year then ended is as follows:

	Due from <u>Other Funds</u>	Due to <u>Other Funds</u>
General Fund	\$ 360,945	\$ 2,207,949
Capital Project-Las Acerolas Fund	430,000	-
Other Governmental Funds	<u>1,777,949</u>	<u>360,945</u>
Total	<u>\$ 2,568,894</u>	<u>\$ 2,568,894</u>

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**7. Capital Assets**

Capital assets activity for the fiscal year ended June 30, 2012:

	<u>Beginning Balance</u>	<u>Additions Increases</u>	<u>Disposals Decreases</u>	<u>Ending Balance</u>
<b>Capital assets:</b>				
Governmental activities				
Cost basis:				
Capital assets, not being				
Depreciated:				
Land	\$14,100,390	\$ -	\$ -	\$14,100,390
Construction in progress	<u>3,722,188</u>	<u>1,945,211</u>	<u>(5,005,795)</u>	<u>661,604</u>
Total	<u>17,822,578</u>	<u>1,945,211</u>	<u>(5,005,795)</u>	<u>14,761,994</u>
Capital assets, being				
Depreciated:				
Buildings, structures and				
Improvements	13,253,551	5,005,795		18,259,346
Infrastructure	14,871,250	1,231,992		16,103,242
Vehicles, machinery and				
Equipment, and				
furniture and fixtures	<u>10,798,893</u>	<u>339,771</u>	<u>-</u>	<u>11,138,664</u>
Total	<u>38,923,694</u>	<u>6,577,558</u>	<u>-</u>	<u>45,501,252</u>
Total cost basis of capital assets	<u>\$56,746,272</u>	<u>\$ 8,522,769</u>	<u>\$(5,005,795)</u>	<u>\$60,263,246</u>
<b>Accumulated depreciation:</b>				
Buildings, structures and				
Improvements	\$ 4,093,860	\$ 332,980	\$ -	\$ 4,426,840
Infrastructure	3,459,443	803,993		4,263,436
Vehicle, machinery and				
equipment, and furniture				
and fixtures	<u>10,017,416</u>	<u>317,660</u>	<u>-</u>	<u>10,335,075</u>
Total	<u>17,570,719</u>	<u>1,454,633</u>	<u>-</u>	<u>19,025,352</u>
Net capital assets	<u>\$39,175,553</u>	<u>\$ 7,068,136</u>	<u>\$(5,005,795)</u>	<u>\$41,237,894</u>

Depreciation and amortization expense for the fiscal year ended June 30, 2012 was charged to functions/programs in the accompanying statement of activities as follows:

## **Gobierno Autónomo de Toa Alta** **Especificaciones y Requisitos**

Los servicios profesionales de auditoría consistirán en lo siguiente:

1. El año fiscal a auditar será el 2012-2013.
2. Realizar el Informe de "Single Audit" para el periodo fiscal 2012-2013. La firma interesada preparará los informes sobre los estados financieros municipales auditados en los cuales pasará juicio sobre la confiabilidad y corrección de los mismos y el cumplimiento con las disposiciones de "Single Audit Act" de 1984, Pub. L. 98-502, según enmendada. Deberá cumplir con los requisitos de la Ley Número 344 del 2 de septiembre de 2000 y presentar informe especial separado, sobre la evaluación del cumplimiento con las recomendaciones del Contralor y la corrección de las fallas señaladas en sus informes previos. Los estados financieros serán preparados según requerido por el GASB 34 y demás pronunciamientos de contabilidad aplicables. Incluir en la revisión de los estados financieros una evaluación de los controles internos del Municipio.
3. El Borrador del Informe de los Estados Financieros Auditados y el informe de "Single Audit", deberán ser entregados y discutidos con la Administración en o antes del 31 de diciembre de 2013, respectivamente; el Informe Final de ambos documentos deberán ser entregados y discutidos con la Administración en o antes del 31 de enero de 2014. El Informe Especial sobre la Ley Número 344 deberá ser entregado e o antes del 15 de enero de 2014, o antes de la fecha que se disponga por la Oficina del Contralor de Puerto Rico.
4. Certificar la información financiera global auditada que ha sido completada para la preparación del FDS (*financial data schedule*) a ser registrado en los sistemas electrónicos de REAC para el año fiscal 2012-2013.
5. En su propuesta deberá incluir un detalle de los honorarios a cobrar por los servicios a prestar. La propuesta deberá ser entregada en original, debidamente firmada y sellada.

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**7. Capital Assets – (continued)**

Governmental activities:	
General government	\$ 218,200
Public safety	72,700
Economic and urban development	872,800
Health and sanitation	14,500
Public housing and welfare	14,633
Culture, recreation, and education	<u>261,800</u>
 Total depreciation	 <u>\$1,454,633</u>

**8. Long-Term Obligations**

The general long-term debt activity for the fiscal year ended June 30, 2012 is as follows:

	<u>Beginning Balance</u>	<u>Borrowing Additions</u>	<u>Payments Deductions</u>	<u>Ending Balances</u>	<u>Amount due within a year</u>
Bonds Payable	\$21,840,000	\$13,095,000	\$ 1,795,000	\$33,140,000	\$ 1,780,000
Notes Payable:					
CRIM - Law 42	1,125,770	-	26,133	1,099,637	27,774
CRIM - Law 146	238,024	-	11,334	226,690	11,334
US Department of Housing and Urban Development	7,886,000	-	271,000	7,615,000	285,000
LIMS Repayment Plan	39,103	-	39,103	-	-
Solid Waste Landfill Obligations	7,253,281	-	-	7,253,281	-
Compensated Absences	1,829,994	448,037	120,000	2,158,031	160,000
Claims and Judgments	2,174,535	-	1,389,535	785,000	30,000
 Total	 <u>\$42,386,707</u>	 <u>\$13,543,037</u>	 <u>\$ 3,652,100</u>	 <u>\$52,277,639</u>	 <u>\$ 2,294,108</u>

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**8. Long-Term Obligations – (continued)**

Historically, the general fund has been used to liquidate certain notes payable, compensated absences federal cost disallowances, obligations under capital leases and any other long-term liabilities other than bonds.

**a) Debt Limitation**

The Municipal Legislature is legally authorized to approve 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 bond anticipation notes) are backed by the full faith, credit and taxing power of the Municipality; and

Direct obligations are not to be issued by the Municipality if the amount of the principal of, and the interest on, such bonds and bond anticipation notes (and on all 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 bond anticipation 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 and bond anticipation notes to be repaid with the proceeds of property taxes restricted for debt service.

**b) Bonds Payable**

The Municipality issues general obligation, special obligation and public improvement bonds to finance the acquisition, construction and improvement of capital assets, as well as, to finance certain operating needs, including the payment to suppliers in certain circumstances.

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

As described in Note 4, the Municipality levies an annual additional special tax of 2.00 percent 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 are set aside to redeem the bonds payable of the Municipality in minimum annual or semiannual principal and interest payments. The collections of this special tax are recorded in the Municipality's debt service fund.

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**b) Bonds Payable- (continued)**

For financial reporting purposes the outstanding balances of bonds represent the total principal to be repaid. Bonds payable is composed as follows at June 30, 2012:

	<u>Outstanding Amount</u>
1995 serial bonds (face amount of \$330,000) due in annual principal installments ranging from \$5,000 to \$30,000; plus interests due in semiannually installments at variable rates (6.11 % to 8.21 %) through July 1, 2019.	\$ 180,000
1995 serial bonds (face amount of \$485,000) due in annual principal installments ranging from \$5,000 to \$45,000; plus interests due in semiannually installments at variable rates (4.70 % to 6.63 %) through July 1, 2020.	290,000
1996 serial bonds (face amount of \$205,000) due in annual principal installments ranging from \$5,000 to \$20,000; plus interests due in semiannually installments at variable rates (4.70 % to 6.63 %) through July 1, 2020.	120,000
1997 serial bonds (face amount of \$400,000) due in annual principal installments ranging from \$10,000 to \$40,000; plus interests due in semiannually installments at variable rates (5.0 % to 8.0 %) through July 1, 2016.	155,000
1997 serial bonds (face amount of \$1,230,000) due in annual principal installments ranging from \$15,000 to \$105,000; plus interests due in semiannually installments at variable rates (4.87 % to 6.75 %) through July 1, 2021.	775,000
1999 serial bonds (face amount of \$625,000) due in annual principal installments ranging from \$10,000 to \$55,000; plus interests due in semiannually installments at variable rates (4.87 % to 6.56 %) through July 1, 2022.	415,000
2001 serial bonds (face amount of \$505,000) due in annual principal installments ranging from \$5,000 to \$45,000; plus interests due in semiannually installments at variable rates (3.68 % to 7.81 %) through July 1, 2025.	390,000
2000 serial bonds (face amount of \$1,230,000) due in annual principal installments ranging from \$55,000 to \$145,000; plus	

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<b>b) Bonds Payable- (continued)</b>	<b>Outstanding Amount</b>
interests due in semiannually installments at variable rates (2.70 % to 7.81 %) through July 1, 2013.	280,000
2002 serial bonds (face amount of \$2,105,000) due in annual principal installments ranging from \$75,000 to \$230,000; plus interests due in semiannually installments at variable rates (3.21 % to 5.00 %) through July 1, 2016.	980,000
2006 serial bonds (face amount of \$1,025,000) due in annual principal installments ranging from \$125,000 to \$170,000; plus interests due in semiannually installments at variable rates (4.17 % to 4.63 %) through July 1, 2012.	170,000
2007 serial bonds (face amount of \$2,275,000) due in annual principal installments ranging from \$35,000 to \$185,000; plus interests due in semiannually installments at variable rates (3.93 % to 7.00 %) through July 1, 2031.	2,070,000
2007 serial bonds (face amount of \$560,000) due in annual principal installments ranging from \$65,000 to \$95,000; plus interests due in semiannually installments at variable rates (3.93 % to 5.40 %) through July 1, 2013.	185,000
2008 serial bonds (face amount of \$1,335,000) due in annual principal installments ranging from \$145,000 to \$235,000; plus interests due in semiannually installments at variable rates (3.93 % to 7.50 %) through July 1, 2014.	660,000
2008 serial bonds (face amount of \$1,840,000) due in annual principal installments ranging from \$250,000 to \$365,000; plus interests due in semiannually installments at variable rates (5.40 % to 7.50 %) through July 1, 2014.	1,020,000
2009 serial bonds (face amount of \$805,000) due in annual principal installments ranging from \$65,000 to \$95,000; plus interests due in semiannually installments at variable rates (4.75 % to 6.00 %) through July 1, 2013.	615,000
2009 serial bonds (face amount of \$770,000) due in annual principal installments ranging from \$65,000 to \$95,000; plus interests due in semiannually installments at variable rates (4.75 % to 6.00 %) through July 1, 2013.	585,000

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**b) Bonds Payable- (continued)**

	<u>Outstanding Amount</u>
2010 serial bonds (face amount of \$305,000) due in annual principal installments ranging from \$5,000 to \$30,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2035.	300,000
2010 serial bonds (face amount of \$3,960,000) due in annual principal installments ranging from \$60,000 to \$335,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2035.	3,900,000
2010 serial bonds (face amount of \$1,910,000) due in annual principal installments ranging from \$25,000 to \$160,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2035.	1,885,000
2010 serial bonds (face amount of \$5,230,000) due in annual principal installments ranging from \$160,000 to \$520,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2027.	5,070,000
2012 Municipal General Obligation Note (face amount of \$2,515,000) due in annual principal installments ranging from \$55,000 to \$890,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2020.	2,515,000
2012 Municipal General Obligation Bonds (face amount of \$2,370,000) due in annual principal installments ranging from \$60,000 to \$465,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2026.	2,370,000
2012 Municipal General Obligation Note (face amount of \$8,210,000) due in annual principal installments ranging from \$50,000 to \$1,470,000; plus interests due in semiannually installments at variable rates (6.0 % to 7.5 %) through July 1, 2031.	8,210,000
<b>Total bonds payable</b>	<b><u>\$ 33,140,000</u></b>

Variable interest rates on serial bonds are reviewed periodically by GDB and are based on the fluctuation of GDB's weighted average rate for its commercial paper program. Under this program, GDB issues commercial paper: (1) in the taxable and tax-exempt markets of the United States of America, (2) in the Eurodollar market, and (3) to corporations having tax

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**b) Bonds Payable- (continued)**

exemptions under the Commonwealth Industrial Incentives Acts and, which qualify for benefits provided by the former

Section 936 of the U.S. Internal Revenue Code. Annual debt service requirements of maturity for bonds payable are as follows:

<b>Year ending June 30</b>	<b>Principal</b>	<b>Interest</b>
2013	\$ 1,780,000	\$ 1,513,197
2014	1,895,000	2,080,265
2015	1,760,000	1,678,143
2016	1,235,000	1,873,019
2017	1,345,000	1,787,518
2018-2022	6,760,000	7,601,942
2023-2027	7,830,000	5,258,192
2028-2032	8,670,000	2,308,975
2033-2037	<u>1,865,000</u>	<u>293,433</u>
Total	<u>\$ 33,140,000</u>	<u>\$24,394,684</u>

**c) Notes Payable to CRIM**

The Municipality had the following notes payables to CRIM at June 30, 2012:

**Public Act No. 146** - On September 24, 2002, CRIM, on behalf of the municipalities of Puerto Rico, entered into a financing agreement with GDB pursuant to the provisions of Public Act No. 146 of October 11, 2001, as amended (Act No. 146). The purpose of this financing agreement was to extinguish in advance certain bonds payable issued by Public Finance Corporation (PFC), a subsidiary of GDB, which were originally issued to pay certain property tax receivables owned by the municipalities of Puerto Rico through 1996, which were acquired by PFC with recourse.

The original face amount of the note allocated by CRIM to the Municipality was for a term not exceeding 30 years. The note bears interest at 6.50 percent during its first five years. Subsequently, from years 6 through 30, the loan shall bear variable interest at a rate of 125 points over the 5-year LIBOR rate, which will be adjusted every five years. During the first five years of the note, commenced on July 1, 2003, the Municipality shall pay only interest. At the end of the first five years of time note, the repayment terms and conditions of the note shall be renegotiated to allow the Municipality to pay the outstanding balance of the note in equal installments of principal plus interest, through maturity. Interest payments on this financing agreement are accounted for in the general fund.

The outstanding principal of the note payable to CRIM amounted to \$226,690 at June 30, 2012.

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**c) Notes Payable to CRIM – (continued)**

Debt service requirements in future years are as follows:

<b>Year ending</b>		
<b><u>June 30</u></b>	<b><u>Principal</u></b>	<b><u>Interest</u></b>
2013	\$ 11,334	\$ 14,100
2014	11,334	13,396
2015	11,334	12,690
2016	11,334	11,990
2017	11,334	11,280
2018-2022	56,670	45,822
2023-2027	56,670	28,200
2028-2032	<u>56,680</u>	<u>10,575</u>
 Total	 <u>\$ 226,690</u>	 <u>\$ 148,053</u>

**Public Act No. 42**— The Commonwealth’s Public Act No. 42 of January 26, 2000 (Act No. 42) 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 authorized CRIM to finance a debt that the municipalities of Puerto Rico had with such entity which arose from the difference between the yearly final settlements of property tax advances made by CRIM to the municipalities and the actual property tax collections received by CRIM from taxpayers 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 are assigned through Act No. 42 to repay such note. The increase in this subsidy was the result of Public Act No. 238 of August 15, 1999.

In addition, on December 16, 2002 the Municipality entered into a repayment agreement with GDB and CRIM to pay off the remaining of excess of property tax advances from fiscal years 2000, 2001 and other previous fiscal years.

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 fiscal year through July 1, 2032. The repayment agreement bears interest at variable rates determined by GDB (6.19 percent at June 30, 2012) but not exceeding 8.00 percent. Principal and interest payments on this financing agreement are accounted for in the general fund. The outstanding principal amounted to \$1,099,637 at June 30, 2012.

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**c) Notes Payable to CRIM – (continued)**

Debt service requirements in future years are as follows:

<b>Year ending</b>		
<u>June 30</u>	<u>Principal</u>	<u>Interest</u>
2013	\$ 27,774	\$ 67,618
2014	29,520	65,822
2015	31,375	64,017
2016	33,500	62,600
2017	35,441	58,950
2018-2022	212,540	263,412
2023-2027	289,604	187,349
2028-2032	394,764	86,210
2033 -2037	45,119	1,431
Total	<u>\$1,099,637</u>	<u>\$ 857,409</u>

**d) Notes Payable to HUD**

Note payable of \$7,900,000 due to the U.S. Department of Housing and Urban Development, payable in annual aggregate principal installments ranging from \$271,000 to \$658,000 plus interest which fluctuates from 2.62% to 5.42%. The note is payable in August 2028. The outstanding debt balance of the note payable amounted to \$7,615,000.

The annual debt service requirements for the note at June 30, 2012 are as follows:

<b>Year ending</b>		
<u>June 30</u>	<u>Principal</u>	<u>Interest</u>
2013	\$ 285,000	\$ 368,583
2014	317,000	356,800
2015	334,000	343,546
2016	355,000	330,300
2017	368,000	311,880
2018-2022	2,173,000	1,278,372
2023-2027	2,825,000	647,464
2028-2032	<u>958,000</u>	<u>42,090</u>
Total	<u>\$ 7,615,000</u>	<u>\$3,679,035</u>

**e) Compensated absences**

The government-wide statement of net assets includes \$2,158,031 of accrued sick leave benefits and accrued vacation benefits and related employer payroll cost, representing the Municipality's commitment to fund such costs from future operations.

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**9. Employees' Retirement Systems**

**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:

50 with 25 years of credited service

58 with 10 years of credited service

Other employees:

55 with 25 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.

***Coordinated Plan***

On the coordinated plan, by the time the employee reaches 65 years old and begins to

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**9. Employees' Retirement Systems – (continued)**

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 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.

***Non-occupational 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.

***Death Benefits***

***Occupational:***

- (a) **Surviving spouse** - annuity equal to 50 percent of the participating employee's salary at the date of the death.

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**9. Employees' Retirement Systems – (continued)**

**(b) Children** - \$10 per month for each child, minor or student, up to a maximum benefit per family of \$100.

***Non-occupational:***

**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 maximum 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.

***Amendment to Act No. 417 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.

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
**Notes to Financial Statements**  
**June 30, 2012**

**9. Employees' Retirement Systems – (continued)**

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 Commonwealth 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.

***Amendments to Act No. 447***

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

Increase in minimum monthly pension payments to \$300, effective January 1, 2005.

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

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
**Notes to Financial Statements**  
**June 30, 2012**

**9. Employees' Retirement Systems – (continued)**

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 imp to \$6,600 per year, plus 8.28 percent grosses salary in excess of \$6,600.
Supplementation plan:	8.28 percent of gross salary. This is the only choice available to policemen, firemen and majors

**10. Solid Waste Landfill Closure and Post-Closure Care Costs**

State and federal laws and regulations require the Municipality to carry out a certain closure work on the Municipality's landfill site when it stops accepting waste and to perform certain maintenance and monitoring functions at the site in the following years.

In accordance with GASB Statement No. 18, "Accounting for Municipal Solid Waste Landfill Closure and Post Closure Care Costs" (GASB No. 18), the Municipality has performed a study of the closing and post-closing costs in order to recognize a provision for those future estimated costs. Based on this study the Municipality recognized \$7,253,281 as the Municipality's estimated current costs for landfill closure as of June 30, 2012. Actual costs may differ due to inflation, changes in technology, or changes in laws and regulations. The Municipality expects to finance this obligation with an assignment of the central government and federal funds. In addition the Solid Waste Disposal Administration of Puerto Rico approved to the Municipality the amount of \$ 1,000,000 to be used on the disposition of municipal solid waste landfill closing costs.

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
**Notes to Financial Statements**  
**June 30, 2012**

**11. Commitments and Contingencies**

The Municipality is defendant in various legal proceedings pertaining to matters incidental to the performance of routine governmental operations. Under Act. No. 104 of June 25, 1955, as amended, persons are authorized to sue the Municipality only for causes of actions set forth in said Act to a maximum amount of \$75,000 or \$150,000 if it involves actions for damages to more than one person or where a single injured party is entitled to several causes of action. Under certain circumstances, as provided in Act No. 9 of November 26, 1975, as amended, the Municipality may provide its officers and employees with legal representation, as well as assume the payment of any judgment that may be entered against them. There is no limitation on the payment of such judgment.

With respects to pending or threatened litigation, the Municipality has reported an estimated liability amounting to \$785,000 for awarded or anticipated unfavorable judgments as of June 30, 2012. Management believes that unfavorable outcome in relation to pending or threatened litigation would not be significant, if any.

The Municipality has reported, outstanding encumbrances amounting to \$596,533 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 period that extends into the subsequent fiscal year.

The Municipality is in the process to initiate a claim against a contractor for deficiencies related to services improperly billed, in which the Municipality has a 50% contractual share of such billings.

The amount of the claim has not been determined, although it could be material to the financial statements of the Municipality.

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**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
BUDGETARY COMPARISON SCHEDULE  
GENERAL FUND**

**FOR THE YEAR ENDED JUNE 30, 2012**

	BUDGETED AMOUNTS		ACTUAL AMOUNTS	VARIANCE WITH
	<u>ORIGINAL</u>	<u>FINAL</u>		FINAL BUDGET <u>Positive(Negative)</u>
<b>REVENUES (inflows):</b>				
Taxes:				
Property Taxes	\$ 4,076,100	\$ 4,076,100	\$ 4,241,759	\$ 165,659
Municipal license taxes	1,776,317	1,776,317	1,382,841	(393,476)
Construction excise taxes	2,034,846	2,034,846	1,478,806	(556,040)
Sales and use taxes	1,400,000	1,400,000	1,068,447	(331,553)
Charges for services	2,160,000	2,160,000	2,135,154	(24,846)
Intergovernmental grants	3,237,949	3,237,949	3,437,094	199,145
Contributions in lieu of taxes	2,040,656	2,040,656	2,040,656	-
Interest on deposits and investments	145,000	145,000	294,399	149,399
Miscellaneous	482,000	482,000	429,232	(52,768)
Transfer from Other Funds	-	-	-	-
Amounts available for appropriations	<u>17,352,868</u>	<u>17,352,868</u>	<u>16,508,388</u>	<u>(844,480)</u>
<b>EXPENDITURES (out flows):</b>				
Current:				
General government	7,762,225	8,120,342	7,971,510	148,832
Public Works	1,693,325	1,644,338	1,618,539	25,799
Health and sanitation	2,973,225	2,912,146	2,912,146	-
Public safety	1,432,070	1,329,405	1,327,512	1,893
Emergency management	603,917	563,145	560,194	2,951
Public housing and welfare	351,068	304,780	300,677	4,103
Culture and education	373,717	375,743	374,724	1,019
Sports and recreation	481,802	453,137	450,814	2,323
Debt payment	1,681,519	1,649,832	1,649,832	-
Capital Outlays	-	-	-	-
Total charges to appropriations	<u>17,352,868</u>	<u>17,352,868</u>	<u>17,165,948</u>	<u>186,920</u>
<b>EXPENDITURES OVER REVENUES</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (657,560)</u>	<u>\$ (657,560)</u>

The accompanying notes are integral part of the financial statements.  
See auditor's report

**COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA**

Notes to the Required Supplementary Information  
Budgetary Comparison Schedule - General Fund  
June 30, 2012

**NOTE 1 - Explanation of Differences Between Budgetary Inflows and Outflows and GAAP Revenues and Expenditures**

Source/Inflows of Revenue:

Actual amounts (Budgetary Basis) "Available for Appropriations" from the Budgetary Comparison Schedule	\$16,508,388
--	--------------

Difference – Budget to GAAP:

Change in Accounts Receivable	(203,717)
Non-budgetary revenues	<u>368,403</u>

Total revenues as reported on the Statement of Governmental Funds Revenues, Expenditures and Changes in Fund Balance	<u>\$16,673,074</u>
--	---------------------

Uses/Outflows of Resources:

Actual amount (Budgetary Basis) "Total Charges to Appropriation" From the Budgetary Comparison Schedule	\$17,165,948
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Difference – Budget to GAAP:

Change in Accounts Payable	179,818
Change in Encumbrances, commitments and non-spensible	(697,824)

Non-budgetary expenditures	<u>82,873</u>
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Total expenditures as reported on the Statement of Governmental Funds Revenues, Expenditures and Changes in Fund Balance	<u>\$16,730,815</u>
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COMMONWEALTH OF PUERTO RICO  
MUNICIPALITY OF TOA ALTA  
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED JUNE 30, 2012

FEDERAL GRANTOR/PASS THROUGH GRANTOR <u>PROGRAM TITLE</u>	<u>FEDERAL CFDA NUMBER</u>		<u>2012 EXPENDITURES</u>
<b>US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>			
<b>Direct programs:</b>			
Community Development Block Grant	14.218	MP	\$ 1,750,415
Community Development Block Grant ARRA	14.253		-
Homeless Prevention and Rapid Re-Housing Program (HPRP)	14.254		81,190
Community Development Block Grant, Section 108, Loan Guarantee	14.248	MP	1,362,842
Section 8 Housing Choice Vouchers	14.871	MP	1,121,379
<b>Passed through the Municipality of San Juan:</b>			
Housing Opportunities for Persons with AIDS (HOPWA)	14.241		18,651
Total US Department of Housing and Urban Development			<u>4,334,477</u>
<b>US DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>			
<b>Passed through the Government of Puerto Rico Governor's Office:</b>			
Special Program for the Aging Title III, Part B. Grants for Supportive	93.044		151,094
<b>Passed through the Office of Administration for Children and Families:</b>			
Child Care and Development Block Grant	93.575		239,664
Child Care and Development Block Grant - ARRA	93.575		-
Total US Department of Health and Human Services			<u>390,758</u>
<b>US DEPARTMENT OF AGRICULTURE</b>			
<b>Passed through PR Government Department of Education</b>			
Child and Adult Care Food Program	10.558		<u>31,752</u>
<b>FEDERAL TRANSPORTATION ADMINISTRATION</b>			
<b>Passed through PR Department of Transportation and Public Works</b>			
UMTA	20.509	MP	<u>1,132,229</u>
<b>US DEPARTMENT OF ENERGY</b>			
<b>Direct Program:</b>			
Energy Efficiency and Conservation Block Grant - Formula Grant	81.128	MP	<u>446,930</u>
<b>TOTAL FEDERAL FINANCIAL ASSISTANCE</b>			<b><u>\$ 6,336,143</u></b>

MP = Major Program

**COMMONWEALTH OF PUERTO RICO**  
**MUNICIPALITY OF TOA ALTA**  
Notes to the Schedule of  
Expenditures of Federal Awards

**NOTE 1 - GENERAL**

The accompanying Schedule of Expenditures of Federal Awards includes the federal grant activity of the Municipality of Toa Alta of the Commonwealth of Puerto Rico and is presented on the accrual basis of accounting. The Municipality of Toa Alta reporting entity is defined in Note 1 to the Municipality's basic financial statements. 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 the basic financial statements.

**NOTE 2 - RELATIONSHIP TO THE BASIC FINANCIAL STATEMENTS**

Revenues and expenditures of the federal awards are included in the Municipality's basic financial statements within the Major and Non-major Governmental Funds. The reconciliation between the expenditures in the basic financial statements and expenditures in the Schedule of Expenditures of Federal Awards is as follows:

Expenditures in the basic financial statements:

Non-major Governmental Funds	\$ 5,993,978
Section 108 Loan Guarantee	1,362,842
Less non-federal expenditures included in Non-major Governmental Funds	<u>( 1,020,674)</u>
Expenditures in the Schedule of Expenditures of Federal Awards	<u>\$ 6,336,145</u>

**NOTE 3 - FEDERAL CFDA NUMBER**

The CFDA number included in this schedule were determined based on the program name, review of grant contract information and the Office of Management and Budget's Catalog of Federal Domestic Assistance.



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

To the Honorable Mayor and  
the Municipal Assembly  
*Municipality of Toa Alta*  
Toa Alta, Puerto Rico

We have audited the financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the *Municipality of Toa Alta* as of and for the year ended *June 30, 2012*, which collectively comprise the *Municipality of Toa Alta* basic financial statements and have issued our report thereon dated *December 13, 2012*. We conducted our audit in accordance with auditing standards generally accepted in 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 **Municipality of Toa Alta** is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered **Municipality of Toa Alta's** internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of **Municipality of Toa Alta's** internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the **Municipality of Toa Alta's** internal control over financial reporting.

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

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

**Compliance and Other Matters**

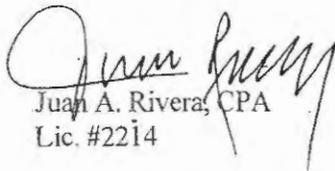
As part of obtaining reasonable assurance about whether the *Municipality of Toa Alta* financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material

effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such as an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and questioned costs as items (12-01, 12-02, 12-03 and 12-04).

We noted certain matters that we reported to management of *Municipality of Toa Alta* in a separate letter dated *December 13, 2012*.

*Municipality of Toa Alta'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 of Toa Alta's* response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, of the Honorable Mayor and The Municipal Assembly of *Municipality of Toa Alta*, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

  
Juan A. Rivera, CPA  
Lic. #2214

December 13, 2012  
Toa Baja, Puerto Rico



Stamp No. 2669689 of Puerto Rico Society of Certified Public Accountants was affixed to the record copy of this report.

  
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**INDEPENDENT AUDITOR'S 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 OMB CIRCULAR A-133**

To the Honorable Mayor and  
the Municipal Assembly  
*Municipality of Toa Alta*  
Toa Alta, Puerto Rico

**Compliance**

We have audited *Municipality of Toa Alta's* compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the Municipality of Toa Alta's major federal programs for the year ended *June 30, 2012*. The *Municipality of Toa Alta's* major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the *Municipality of Toa Alta's* management. Our responsibility is to express an opinion on the *Municipality of Toa Alta's* compliance based on our audit.

We conducted our audit of compliance in accordance with generally accepted auditing standards; the standards applicable to financial audits contained in Governmental 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 of Toa Alta's* compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the *Municipality of Toa Alta's* compliance with those requirements.

As described in items 12-01, 12-02, 12-03 and 12-04 in the accompanying schedule of findings and questioned costs, the *Municipality of Toa Alta* did not comply with requirements regarding Eligibility and Davis Bacon Act that are applicable to its SBGP Program and eligibility that are applicable to its Housing Choice Voucher. Compliance with such requirements is necessary, in our opinion, for *Municipality of Toa Alta* to comply with the requirements applicable to that program.

**Internal Control over Compliance**

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

**MUNICIPALITY OF TOA ALTA**  
**COMMONWEALTH OF PUERTO RICO**  
**SCHEDULE OF PRIOR YEAR FINDINGS AND QUESTIONED COST**  
**FOR THE YEAR ENDED JUNE 30, 2012**

**None**

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compliance. Accordingly, we do not express an opinion on the effectiveness of **Municipality of Toa Alta's** internal control over compliance.

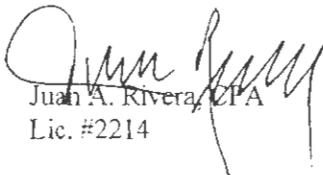
Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, there can be no assurance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

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

A significant deficiency in internal control over compliance is a deficiency or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described in the accompanying schedules of findings and questioned costs as items (12-01, 12-02, 12-03 and 12-04) to be significant deficiencies.

**Municipality of Toa Alta'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 of Toa Alta's** response and, accordingly, we express no opinion on the response.

This report is intended solely for the information and use of management of the *Honorable Major and the Municipal Assembly of the Municipality of Toa Alta*, federal awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

  
Juan A. Rivera, CPA  
Lic. #2214

December 13, 2012  
Toa Baja, Puerto Rico



Stamp No. 2669690 of Puerto Rico Society of Certified Public Accountants was affixed to the record copy of this report.

MUNICIPALITY OF TOA ALTA  
COMMONWEALTH OF PUERTO RICO  
SCHEDULE OF PRIOR YEAR FINDINGS AND QUESTIONED COST  
FOR THE YEAR ENDED JUNE 30, 2012

None

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

**Section I. Summary of Auditor's Result**

Financial Statements

Type of auditor's report issued: unqualified opinion

Internal Control over financial reporting:

Material weakness (es) identified?	___ Yes	<u>X</u> No
Significant Deficiencies identified that are not Considered to be material weakness?	<u>X</u> Yes	___ No

Noncompliance material to financial statements noted?    \_\_\_ Yes    X No

→ Federal Award

Internal Control over major programs:

Material weakness (es) identified?	___ Yes	<u>X</u> No
Significant Deficiencies identified that are not Considered to be material weakness?	<u>X</u> Yes	___ No

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

Any audit findings disclosed that are required to be reported in accordance with section 510 (a) of Circular A-133?    X Yes    \_\_\_ No

Identification of major programs:

<u>CFDA Numbers</u>	<u>Name of Federal Program or Cluster</u>
14.128	Community Development Grant
14.248	Community Development Grant, Section 108
14.871	Section 8 Housing Choice Vouchers
20.509	UMTA
81.128	Energy Efficiency and Conservation Grant

Dollar threshold used to distinguish between type A and type B programs:  
\$300,000, 00

Audited qualified as low-risk audit?    X Yes    \_\_\_ No

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

**Section II. Financial Statement Findings**

None

**Section III. Federal Awards Findings and Questioned Cost**

Our examination of compliance with federal requirements of the Municipality of Toa Alta for the year ended June 30, 2012 disclosed that grants funds were generally administered in a satisfactory manner.

**Housing Choice Voucher – CFDA – 14.871**

**Statement of Condition 12-01 – Reasonable Rent**

As part of our eligibility test for participants, we selected 28 participants' files. The following deficiency was noted during our examination.

1. In 13 (72.22%) participants, file application forms of Reasonable Rent were not present in the file.

**Criteria**

The PHA's administrative plan must state the method used by the PHA to determine that the rent to owner is reasonable in comparison to rent for other comparable unassisted units. The PHA determination must consider unit attributes such as the location, quality, size, unit type, and age of the unit, and any amenities, housing services, maintenance and utilities provided by the owner.

The PHA must determine that the rent to owner is reasonable at the time of initial leasing. Also, the PHA must determine reasonable rent during the term of the contract: (a) before any increase in the rent to owner; and (b) at the HAP contract anniversary if there is a five percent decrease in the published Fair Market Rent (FMR) in effect 60 days before the HAP contract anniversary. The PHA must maintain records to document the basis for the determination that rent to owner is a reasonable rent (initially and during the term of the HAP contract) (24 CFR sections 982.4, 982.54(d) (15), 982.158(f) (7), and 982.507).

**Recommendation**

The Municipality should make an effort to determine whether the PHA is documenting the determination that the rent to owners is reasonable in accordance with the PHA's administrative plan at initial leasing and during the term of the contract.

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

**Housing Choice Voucher – CFDA – 14.871- (continued)**

**Statement of Condition 12-01 – Reasonable Rent**

Auditee Response

We will take the auditors advices and suggested them to the new management to avoid this situtations in the future.

**CDBG – CFDA 14.228**

**Statement of Condition -12-02 – Davis Bacon Act**

The Municipality is not in compliance with 29 CFR part 5, "Labor Standards Provisions Applicable to Contracts governing Federally Financed and Assisted Construction". Section 5:5 and 5:6, which requires that for all construction contracts in excess of \$2,000 financed by federal assistance funds includes a clause where the contractor or subcontractor comply with the requirements of the Davis Bacon Act. This includes a requirement for the contractor or subcontractor to submit to the Municipality weekly, for each week in which any contract work is performed, a copy of the payroll and a statement of compliance (certified payrolls).

Cause and Effect:

The Municipality is not requiring to the contractors enough documentation to determinate if they are under the law compliances. This situation shows poor internal controls over the compliances requirements established by the federal law.

Recommendation:

The Municipality must include the required clauses in all construction contracts financed by federaly assistance funds.

Auditee Response:

We will take the auditors advices and suggested them to the new management to avoid this situtations in the future.

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

**Housing Choice Voucher – CFDA – 14.871**

**Statement of Condition -12-03 Eligibility for Individuals**

We examined the Housing Assistance Payment Register (HAP Register) maintained by the PHA. For twenty eight (28) participants and we found that the HAP Register did not include all the information required by the federal agency, such as:

- a. Physical Address
- b. Behavior Certificate
- c. Birth Certificate

**Criteria**

Most PHAs devise their own application forms that are filled out by the PHA staff during an interview with the tenant.

The head of the household signs: (a) one or more release forms to allow the PHA to obtain information from third parties; (b) a federally prescribed general release form for employment information; and (c) a privacy notice.

Under some circumstances, other members of the family are required to sign these forms (24 CFR sections 5.212 and 5.230).

**Cause**

The Municipality is not requiring to all the tenants and other family members as a condition of admission or continued occupancy to provide necessary information, documentation, and releases for the PHA to verify the tenant eligibility (24 CFR sections 5.230, 5.609, and 982.516).

**Effect**

This situation shows poor internal controls over the compliances requirements establish by the federal law.

**Recommendation**

The Municipality should become more familiar with federal law enforcement of compliance so that situations like this do not continue to occur in the future.

**Auditee Response**

We will take the auditors advices and suggested them to the new management to avoid this situations in the future.

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

CDBG – CFDA 14.228

**Statement of Condition -12-04 – Housing Rehabilitation**

We examined the Housing Rehabilitation Program maintained by the PHA. For twenty eight (23) participants and we found that the Agency did not include all the information required by the federal agency, such as:

- a: Physical Address
- b: Priority Order
- c: Pictures of the Rehabilitated Property
- d: Mayor's Certifications
- e: Preliminar Inspections.

Criteria:

The Municipality must determine whether the grantee assures that the rehabilitation work is properly completed by reviewing rehabilitation standards established for the work and verifying through a review of documentation that the rehabilitation work is inspected upon completion, to ensure that it is carried out in accordance with applicable rehabilitation standards.

The Municipality is not requiring to subrecipients the necessary information to ensure that the process was made in accordance with the applicable rehabilitation standards.

Effect:

The objective of the program may not be able to achieve by the lack of information by the Municipality.

Recommendation:

The Municipality should become more familiar with federal law enforcement of compliance so that situations like this do not continue to occur in the future.

Auditee Response:

We will take the auditors advices and suggested them to the new management to avoid this situations in the future.

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