

**COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS**

**BASIC FINANCIAL STATEMENTS
AND SUPPLEMENTARY INFORMATION**

FISCAL YEAR ENDED JUNE 30, 2019

**[WITH THE ADDITIONAL REPORTS AND INFORMATION REQUIRED BY THE
GOVERNMENT AUDITING STANDARDS AND UNIFORM GUIDANCE]**



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Member of:



Governmental Audit Quality Center
Puerto Rico Society of Certified Public Accountants
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PART I

FINANCIAL

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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Members of the Municipal Legislature
Autonomous Municipality of Caguas
of the Commonwealth of Puerto Rico

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of **Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality)**, as of and for the fiscal year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise **Municipality's** basic financial statements as listed in the Table of Contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

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 from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the **Municipality's** preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the **Municipality's** internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that our audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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Basis for Qualified Opinion on Governmental Activities and Note Disclosure Regarding Pensions Plan and OPEB Plan

We were unable to obtain sufficient appropriate audit evidence about the deferred outflows/inflows of resources, liabilities, and expenses relations to pension and other postemployment benefits of the governmental activities and the related disclosures in the accompanying notes. As discussed in Notes 20 and 23, the Puerto Rico Government Employees Retirement System (PRERS) has not issued audited financial statements as of and for the fiscal years ended June 30, 2018 and 2017 (**Municipality's** measurement date), necessary to comply with the requirements of GASB Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements No. 67 and 68*, and GASB Statement No. 75 *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, nor has provided to the **Municipality** the required information to record transactions related to pension and other post-employment benefits (OPEB) as of and for the fiscal year ended June 30, 2019.

Amounts reported in the government-wide financial statements as deferred outflows of resources, deferred inflows of resources and net pension liability are the same amounts reported in 2018 financial statements which were derived from the application of the proportional share included in the audited financial statements, notes and required supplementary information of PRERS for the fiscal year ended June 30, 2016. Accordingly, the **Municipality** did not record the current pension and OPEB expense, changes in deferred outflows/inflows of resources and liabilities, and additional disclosures, and supplementary information required by generally accepted accounting principles for pensions and other post-employment benefits as of and for the year ended June 30, 2019. The amounts by which this situation would affect the presented liabilities, deferred outflow of resources, deferred inflow of resources, net position, and expenses has not been determined.

Qualified Opinion on Governmental Activities and Note Disclosure Regarding Pensions Plan and OPEB Plan

In our opinion, except for the possible effects of the matter described above in the *"Basis for Qualified Opinion on Governmental Activities and Note Disclosure Regarding Pensions Plan and OPEB Plan"* paragraphs, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities of the **Municipality** as of June 30, 2019 and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Unmodified Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of each major fund, and the aggregate remaining fund information of the **Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico**, as of June 30, 2019, and the respective changes in financial position and, where applicable, cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

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Emphasis-of-Matter

Uncertainty about Ability to Continue as a Going Concern – Commonwealth of Puerto Rico

The **Municipality** is an instrumentality of the Commonwealth of Puerto Rico (Commonwealth). The accompanying financial statements of the **Municipality** have been prepared assuming that the Commonwealth will continue as a going concern. Also, the **Municipality** received substantial funds and loans from the Commonwealth. As discussed in Note 26 to the basic financial statements on pages 117-119, the Commonwealth's recurring deficits, negative financial position, further deterioration of its economic condition, and inability to access the credit markets raises substantial doubt about the ability to continue as a going concern. The Commonwealth and its component units are currently under the supervision of a Federal Oversight Board, who have certified Fiscal Plan in order to remediate their situation. The financial statements of the **Municipality** do not include any adjustments that might result from the outcome of this uncertainty. Our opinions are not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, on pages 6-23, Schedule of Revenues and Expenditures Budget and Actual – General Fund information on pages 137-138, and employees' retirement systems information, on pages 139-141 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information related to Management's Discussion and Analysis, and budgetary comparison 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. We were unable to apply certain limited procedures to the required supplementary information related to employees' retirement systems information applicable to **Municipality**, in accordance with auditing standards generally accepted in the United States of America. We do not express an opinion or provide any assurance on the information.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the **Municipality's** basic financial statements. The accompanying Financial Data Schedules – Section 8 Housing Choice Vouchers Program, as required by U.S. Department of Housing and Urban Development, on pages 143 through 146, and the Schedule of Expenditures of Federal Awards, as required by *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Award*, on pages 148 through 152, is presented for purposes of additional analysis and is not required part of the basic financial statements.

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The Financial Data Schedules – Section 8 Housing Choice Vouchers Program and the Schedule of Expenditures of Federal Awards 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 basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America.

In our opinion, the Financial Data Schedules – Section 8 Housing Choice Vouchers Program and the Schedule of Expenditures of Federal Awards are fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by *Governmental Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated April 1, 2020, on our consideration of the **Municipality's** internal control over financial reporting on our test of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considered **Municipality's** internal control over financial reporting and compliance.



CPA Díaz-Martínez, PSC
Certified Public Accountants & Consultants
License Number 12, expires on December 1, 2022

Caguas, Puerto Rico
April 1, 2020

Stamp No. E383675 of the Puerto Rico Society of Certified
Public Accountants was affixed to the original report.



The information in this section is not covered by the Independent Auditor's Report, but is presented as required supplementary information for the benefit of the readers of the basic financial statements.

As management of the Autonomous Municipality of Caguas (hereafter the Municipality), we offer readers of the Municipality's financial statements this narrative overview and analysis of the financial activities of the Municipality for the fiscal year ended June 30, 2019. We encourage readers to read the information presented here in conjunction with the basic financial statements.

Financial Highlights

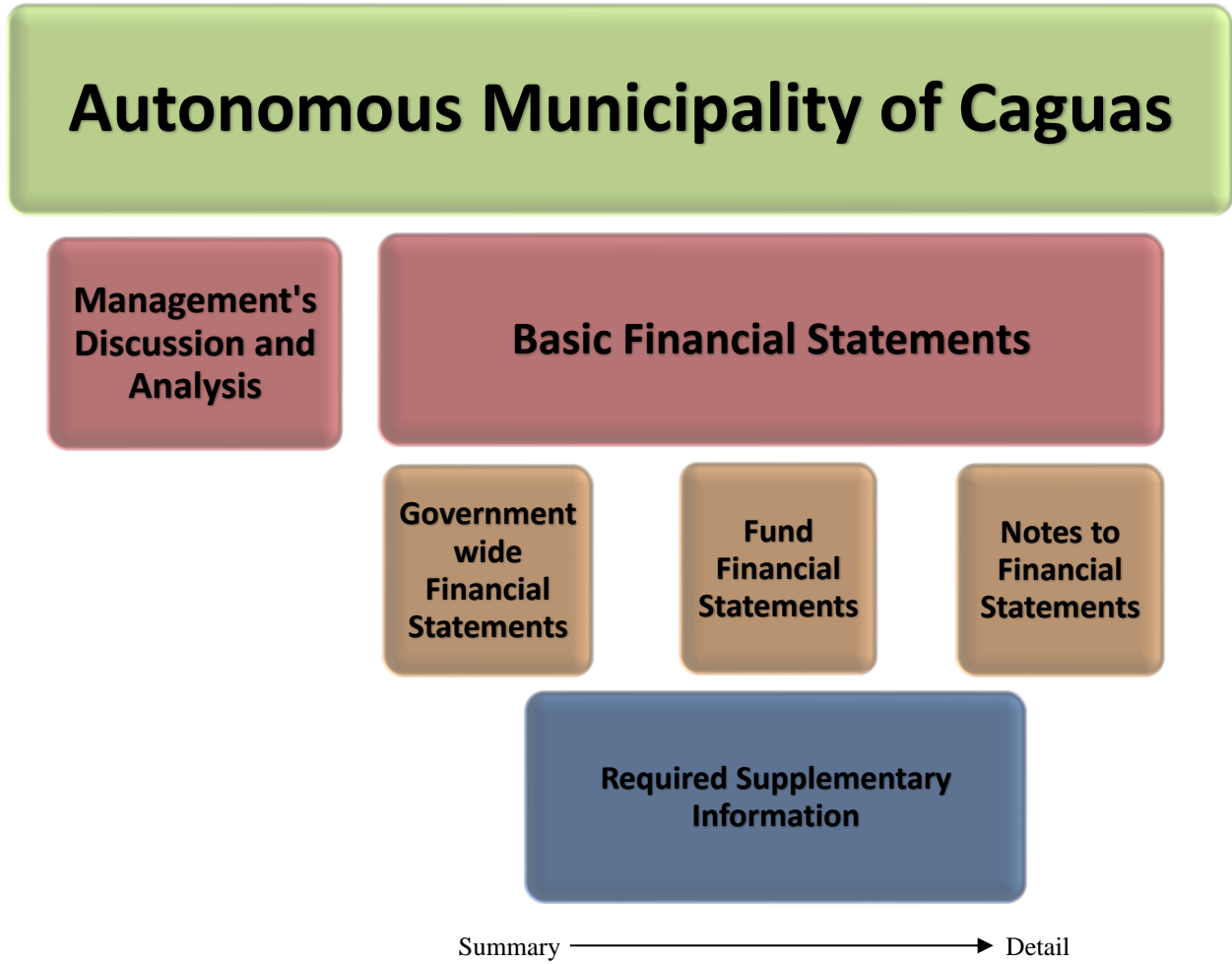
- The net position of the Municipality shows that governmental assets and deferred outflows exceeded its liabilities and deferred inflows at the close of the fiscal year by \$19,185,162.
- The government's total assets and deferred outflows of resources, in the Governmental-wide Statement of Net Position decreased by \$27,540,199 and government's liabilities and deferred inflows of resources decreased by \$42,455,068. These changes resulted in an increase in total net position of \$14,914,869.
- As of the close of the current fiscal year, the Municipality's governmental funds reported combined ending fund balances of \$11,088,565 after a total and combined net decrease of \$12,101,455.
- The Municipality's total general and special long-term debts net decreased by \$36,807,526 during the current fiscal year. On November 28, 2019, the Municipality made a special payment of \$24,694,958, as required by the certified Governmental Development Bank's (GDB) Restructuring Support Agreement (RSA), as amended. The amendment resulted that on November 29, 2018, Fiscal Agency and Financial Advisory Authority (FAFAA) issued a certification pursuant to Article 501 of Act No. 109-2017, as amended, applying the full cash amount held on GDB, against the loan balances owed by the Municipality to GDB.
- Prior period adjustment of \$56,905 was the result of the cash confirmed by GDB and FAFAA, that was not included in the accounting records of the Municipality and were certified and applied to the debt payment as explained above.
- The Municipality issued new debt during the current year in the amount of \$900,660 from the U.S. Rural Development Agency, for acquisition of equipment. In addition, the Municipality refinanced several balloon payments due during the fiscal year. Refer to Note 16, for detail of interest and amortization.
- Net Capital Assets from Governmental Activities as of June 30, 2019 was \$384,389,592, presenting a net decrease of \$8,987,578 with respect with prior year balance. This net decrease is the result of additions of \$6,011,226, distributed in all categories; depreciation expense for the year of \$14,564,224; and a loss on disposition of \$434,580.

This discussion and analysis is intended to serve as an introduction to the Municipality's basic financial statements. The Municipality's basic financial statements consist of three components; 1) government-wide financial statements, 2) fund financial statements, 3) notes to the financial statements, and required supplementary information (see Figure 1). The basic financial statements present two different views of the Municipality through the use of government-wide statements and fund financial statements. In addition to the basic financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the Municipality.

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Required Components of Annual Financial Report
Figure 1



Basic Financial Statements

The first two statements in the basic financial statements are the **Government-wide Financial Statements**. They provide both, short and long-term information about the Municipality's financial status.

The next statements are the **Governmental Fund Financial Statements**. These statements focus on the activities of the individual parts of the Municipality's government. These statements provide more details than the Government-wide Financial Statements.

Government-wide Financial Statements (GWFS)

The GWFS are designed to provide the reader with a broad overview of the Municipality's finances. The GWFS provide short and long-term information about the Municipality's financial status as a whole.

The *Statement of Net Position* presents information on all the Municipality's assets, plus deferred outflows of resources, less liabilities and deferred inflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Municipality is improving or deteriorating.

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The *Statement of Activities* presents information showing how the Municipality's net position changed during the most recent fiscal year. All changes in net position 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 result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave). The *Statement of Activities* is focused on both the gross and net cost of various activities (including governmental, business-type, and component unit, if any). This is intended to summarize and simplify the reader's analysis of the revenues and costs of the Municipality's activities and the degree to which activities are subsidized by general revenues.

The governmental activities include most of the Municipality's basic services such as public safety, culture and recreation and general administration. Property taxes, volume of business taxes and state and federal grant funds finance most of these activities.

The government-wide financial statements are included from pages 24 through 26 of this report.

New Significant Accounting Standards Implemented

During fiscal year 2019, the Municipality adopted these new statements of financial accounting standards issued by the Governmental Accounting Standards Board (GASB) of the following that were effective during the fiscal year.

- Statement No. 83, *Certain Asset Retirement Obligations*
- Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*

Statement No. 83, addresses accounting and financial reporting for certain asset retirement obligations (AROs). An ARO is a legally enforceable liability associated with the retirement of a tangible capital asset. A government that has legal obligations to perform future asset retirement activities related to its tangible capital assets should recognize a liability based on the guidance in this Statement. This Statement establishes criteria for determining the timing and pattern of recognition of a liability and a corresponding deferred outflow of resources for AROs. This Statement requires that recognition occur when the liability is both incurred and reasonably estimable. The determination of when the liability is incurred should be based on the occurrence of external laws, regulations, contracts, or court judgments, together with the occurrence of an internal event that obligates a government to perform asset retirement activities. Laws and regulations may require governments to take specific actions to retire certain tangible capital assets at the end of the useful lives of those capital assets, such as decommissioning nuclear reactors and dismantling and removing sewage treatment plants.

Other obligations to retire tangible capital assets may arise from contracts or court judgments. Internal obligating events include the occurrence of contamination, placing into operation a tangible capital asset that is required to be retired, abandoning a tangible capital asset before it is placed into operation, or acquiring a tangible capital asset that has an existing ARO. This Statement requires the measurement of an ARO to be based on the best estimate of the current value of outlays expected to be incurred. The best estimate should include probability weighting of all potential outcomes, when such information is available or can be obtained at reasonable cost. If probability weighting is not feasible at reasonable cost, the most likely amount should be used. This Statement requires that a deferred outflow of resources associated with an ARO be measured at the amount of the corresponding liability upon initial measurement.

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This Statement requires the current value of a government's AROs to be adjusted for the effects of general inflation or deflation at least annually. In addition, it requires a government to evaluate all relevant factors at least annually to determine whether the effects of one or more of the factors are expected to significantly change the estimated asset retirement outlays. A government should remeasure an ARO only when the result of the evaluation indicates there is a significant change in the estimated outlays. The deferred outflows of resources should be reduced and recognized as outflows of resources (for example, as an expense) in a systematic and rational manner over the estimated useful life of the tangible capital asset.

A government may have a minority share (less than 50 percent) of ownership interest in a jointly owned tangible capital asset in which a nongovernmental entity is the majority owner and reports its ARO in accordance with the guidance of another recognized accounting standards setter. Additionally, a government may have a minority share of ownership interest in a jointly owned tangible capital asset in which no joint owner has a majority ownership, and a nongovernmental joint owner that has operational responsibility for the jointly owned tangible capital asset reports the associated ARO in accordance with the guidance of another recognized accounting standards setter. In both situations, the government's minority share of an ARO should be reported using the measurement produced by the nongovernmental majority owner or the nongovernmental minority owner that has operational responsibility, without adjustment to conform to the liability measurement and recognition requirements of this Statement.

In some cases, governments are legally required to provide funding or other financial assurance for their performance of asset retirement activities. This Statement requires disclosure of how those funding and assurance requirements are being met by a government, as well as the amount of any assets restricted for payment of the government's AROs, if not separately displayed in the financial statements.

This Statement also requires disclosure of information about the nature of a government's AROs, the methods and assumptions used for the estimates of the liabilities, and the estimated remaining useful life of the associated tangible capital assets. If an ARO (or portions thereof) has been incurred by a government but is not yet recognized because it is not reasonably estimable, the government is required to disclose that fact and the reasons therefor. This Statement requires similar disclosures for a government's minority shares of AROs.

GASB No. 83 does not have any impact on the Municipality's financial statements.

Statement No. 88, primary objective of this Statement is to improve the information that is disclosed in notes to government financial statements related to debt, including direct borrowings and direct placements. It also clarifies which liabilities governments should include when disclosing information related to debt.

This Statement defines debt for purposes of disclosure in notes to financial statements as a liability that arises from a contractual obligation to pay cash (or other assets that may be used in lieu of cash) in one or more payments to settle an amount that is fixed at the date the contractual obligation is established.

This Statement requires that additional essential information related to debt be disclosed in notes to financial statements, including unused lines of credit; assets pledged as collateral for the debt; and terms specified in debt agreements related to significant events of default with finance-related consequences, significant termination events with finance-related consequences, and significant subjective acceleration clauses. For notes to financial statements related to debt, this Statement also requires that existing and additional information be provided for direct borrowings and direct placements of debt separately from other debts.

The requirements of this Statement will improve financial reporting by providing users of financial statements with essential information that currently is not consistently provided. In addition, information about resources to liquidate debt and the risk associated with changes in terms associated with debt will be disclosed. As a result, users will have better information to understand the effects of debt on a government's future resources flows.

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GASB No. 88 does not have any impact on the Municipality's financial statements.

Governmental Fund Financial Statements (GFFS)

The GFFS provide a more detailed look at the Municipality's most significant activities. 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 all other governmental entities in the Commonwealth of Puerto Rico, uses fund accounting to ensure and reflect compliance (or non-compliance) with finance-related legal requirements, such as the General Statutes or the Municipality's budget ordinance.

Governmental funds are used to account for those functions reported as governmental activities in the GWFS. Most of the Municipality's basic services are accounted for in governmental funds. These funds focus on how assets can readily be converted into cash inflows and outflows, and what monies are left at year-end that will be available for spending in the next fiscal year.

Governmental funds are reported using an accounting method called modified accrual basis of accounting. This method is also known as current financial resources focus. Thus, the GFFS give the readers a detailed short-term view that helps them determine if there are more or less financial resources available to finance the Municipality's programs. The relationship between government activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds are described in reconciliations that are part of the GFFS.

The Municipality adopts an annual budget for its General Fund, as required by the General Statutes. The Municipality's annual budget is a legally adopted document that incorporates input from the citizens of the Municipality, the management of the Municipality, and the decisions of the Municipal Legislature about which services to provide and how to pay for them. It also authorizes the Municipality to obtain funds from identified sources to finance these current period activities. The budgetary schedule provided for the General Fund demonstrates how well the Municipality complied with the budget ordinance and whether the Municipality succeeded in providing the services as planned when the budget was adopted. The budgetary comparison schedule uses the budgetary basis of accounting and is presented using the same format, language, and classifications as the legal budget document. The statement shows four columns: 1) the original budget as adopted by the Municipal Legislature; 2) the final budget as amended by the Municipal Legislature; 3) the actual resources, charges to appropriations, and the final relationship between revenues and appropriations; and 4) the difference or variance between the final budget and the actual resources and charges.

The governmental funds financial statements are included from pages 27 through 31 of this report.

Notes to Financial Statements – The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes can be found on pages 32 through 135 of this report.

Required Supplementary Information – Budgetary Information – Provides additional information to better understand the financial position of the Municipality and contains the Schedule of Revenues and Expenditures Budget and Actual – General Fund, are presented immediately following the notes to the financial statements and can be found on pages 137-138 of this report.

Required Supplementary Information – Pension Information – The required supplementary information reported are related to the GASB Statement No. 68 and GASB Statement No. 71 for pension liability reporting, are presented on pages 139 through 141 of this report. After approval of Act 106-2017, the Fiduciary Fund of the PRGERS was liquidated and a new define contribution plan was created and the new GASB Statement No. 73 is effective as June 30, 2018. PRGERS hasn't issued, or made available the required financial information for fiscal year 2018-2019. We were unable to present the required information applicable under GASB Statement No. 73.

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FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE

Government-wide Financial Analysis

As noted earlier, net position may serve over time as one useful indicator of a government's financial condition. The total assets and deferred outflows of the Municipality exceeded its liabilities and deferred inflows by \$19,185,162 as of June 30, 2019. The Municipality's net position increased by \$14,914,869, as restated, for the fiscal year ended June 30, 2019.

One of the largest portions of the net position, \$257,976,410, reflects the Municipality's investment in capital assets (e.g. land, buildings, infrastructure, and equipment); less any related debt still outstanding that was issued to acquire or contract those assets. As mentioned above, the variance with respect 2018, corresponds to the evaluation and recognition of impairments of capital assets, as a result of the impact of Hurricanes Irma and María last year. The Municipality uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Municipality's investment in its capital assets is reported net of the outstanding related debt, the resources needed to repay that debt must be provided by other sources, since the capital assets cannot be used to liquidate these liabilities.

An additional portion of the Municipality's net position \$39,896,041 represents resources that are subject to external restrictions on how they may be used. Within this portion are \$15,367,173 held by the Municipality in Escrow and Deposits Accounts for repayment of long-term debt, \$11,004,354 restricted for Head Start program purposes, \$8,105,892 for construction projects and \$5,418,622 restricted, mainly, to provide housing services to the citizens.

An Unrestricted Net Position (Deficit) of (\$278,687,289) was presented as of June 30, 2019. This balance was negatively affected primarily to by the recognition of Net Pension Liability, as required by GASB Statements No. 68 and 71, for the amount (\$236,074,839), we were unable to present information under GASB Statement No. 73. Other long-term debts, such as compensated absences (\$13,008,141), the issuance of the Community Disaster Loan (\$5,000,000), and Puerto Rico Retirement System Administration (\$4,137,050), also affected the net position.

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The Municipality's Net Position (as restated)
Figure 2

	Governmental Activities			Percentage Change
	2019	2018	Dollar Change	
Current and Other Assets	\$ 69,078,920	\$ 64,078,147	\$ 5,000,773	7.80%
Capital Assets	384,389,592	393,377,170	(8,987,578)	-2.28%
Housing Units Held for Sale	154,848	154,848	-	0.00%
Idle Units Held for Future Use	1,252,349	1,252,349	-	0.00%
Restricted Cash	1,110,353	24,678,663	(23,568,310)	-95.50%
Loan Receivable, Net	510,881	503,698	7,183	1.43%
Note Receivable, Net	136,610	128,877	7,733	6.00%
Total Assets	<u>456,633,553</u>	<u>484,173,752</u>	<u>(27,540,199)</u>	-5.69%
Deferred Outflows of Resources	<u>43,151,663</u>	<u>43,151,663</u>	<u>-</u>	0.00%
Current Liabilities	54,500,635	98,061,943	(43,561,308)	-44.42%
Other Liabilities	<u>421,581,121</u>	<u>420,474,881</u>	<u>1,106,240</u>	0.26%
Total Liabilities	<u>476,081,756</u>	<u>518,536,824</u>	<u>(42,455,068)</u>	-8.19%
Deferred Inflows of Resources	<u>4,518,298</u>	<u>4,518,298</u>	<u>-</u>	0.00%
Net Position:				
Net Invested of Capital Assets	257,976,410	250,989,675	6,986,735	2.78%
Restricted	39,896,041	46,830,888	(6,934,847)	-14.81%
Unrestricted (Deficit)	<u>(278,687,289)</u>	<u>(293,550,270)</u>	<u>14,862,981</u>	-5.06%
Total Net Position	<u>\$ 19,185,162</u>	<u>\$ 4,270,293</u>	<u>\$ 14,914,869</u>	349.27%

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The Municipality's Changes in Net Position (as restated)
Figure 3

	Governmental Activities			Percentage Change
	2019	2018	Dollar Change	
Revenues:				
Program Revenues:				
Charges for Services	\$ 2,924,506	\$ 901,350	\$ 2,023,156	224.46%
Operating Grants and Contributions	35,615,794	36,023,262	(407,468)	-1.13%
Capital Grants and Contributions	165,798	334,727	(168,929)	-50.47%
General Revenues:				
Property Taxes	48,400,174	42,976,232	5,423,942	12.62%
Volume of Business Taxes	25,407,084	22,678,761	2,728,323	12.03%
Sales and Usage Taxes	22,093,052	20,779,275	1,313,777	6.32%
Intergovernmental	7,491,166	9,453,916	(1,962,750)	-20.76%
Construction Excise Taxes	4,968,686	2,526,902	2,441,784	96.63%
Interest and Investment Income	501,922	278,812	223,110	80.02%
Donated Capital Assets	120,000	-	120,000	100
Gain on sale of Capital Assets	1,353,662	-	1,353,662	100.00%
Other	3,072,873	2,917,003	155,870	5.34%
Insurance Recovery	797,274	627,823	169,451	26.99%
Total Revenues	<u>152,911,991</u>	<u>139,498,063</u>	<u>13,413,928</u>	<u>9.62%</u>
Expenses:				
General Government	38,271,730	33,923,642	4,348,088	12.82%
Public Safety	7,461,983	8,213,084	(751,101)	-9.15%
Public Works	18,125,103	20,465,928	(2,340,825)	-11.44%
Cultural and Recreation	8,264,803	8,948,917	(684,114)	-7.64%
Health and Welfare	3,049,634	11,182,123	(8,132,489)	-72.73%
Economic and Social Development	7,161,351	5,796,197	1,365,154	23.55%
Housing	9,669,283	9,835,450	(166,167)	-1.69%
Sanitation and Environmental	14,150,461	19,511,310	(5,360,849)	-27.48%
Education	20,755,406	20,986,084	(230,678)	-1.10%
Interest	11,087,368	11,461,025	(373,657)	-3.26%
Total Expenses	<u>137,997,122</u>	<u>150,323,760</u>	<u>(12,326,638)</u>	<u>-8.20%</u>
Excess (deficiency) before special items:	<u>14,914,869</u>	<u>(10,825,697)</u>	<u>25,740,566</u>	<u>-237.77%</u>
Net Change in Net Position	<u>14,914,869</u>	<u>(10,825,697)</u>	<u>25,740,566</u>	<u>-237.77%</u>
Net Position, Beginning of Year, as Restated	<u>4,270,293</u>	<u>15,095,990</u>	<u>(10,825,697)</u>	<u>-71.71%</u>
Net Position, Ending	<u>\$ 19,185,162</u>	<u>\$ 4,270,293</u>	<u>\$ 14,914,869</u>	<u>349.27%</u>

continue



Governmental Activities – Governmental activities increased the Municipality's net position by \$14,914,869. Key elements of this change in net position are the following:

Revenues:

Total overall revenues increased by 9.58% over prior year. The following categories had the mayor changes from prior year:

- Charges for services increased 224.46% over prior year – due to an increase in rent from Municipality's properties which last year were exempt of payments due to Hurricane damages and this year were charged on regular basis. Also, fines increased due to collection efforts with the state treasury department.
- Construction excise taxes increased by 96.63% - the increase was, mainly, by insurance recoveries paid to taxpayers for Hurricane damages in the last year and invested in construction projects.
- Volume of business taxes increased by 12.03% - the increase on Municipality's commercial operations during the year.
- Property Taxes increased by 12.62% - the increase was due collections made from the Municipal Revenues Collection Center.
- A gain on sale of land was recognized during the fiscal year in the amount of \$1,353,662.

Expenses:

Total overall expenses had a net decrease of 8.2% over prior year. The following categories had the major changes from prior year:

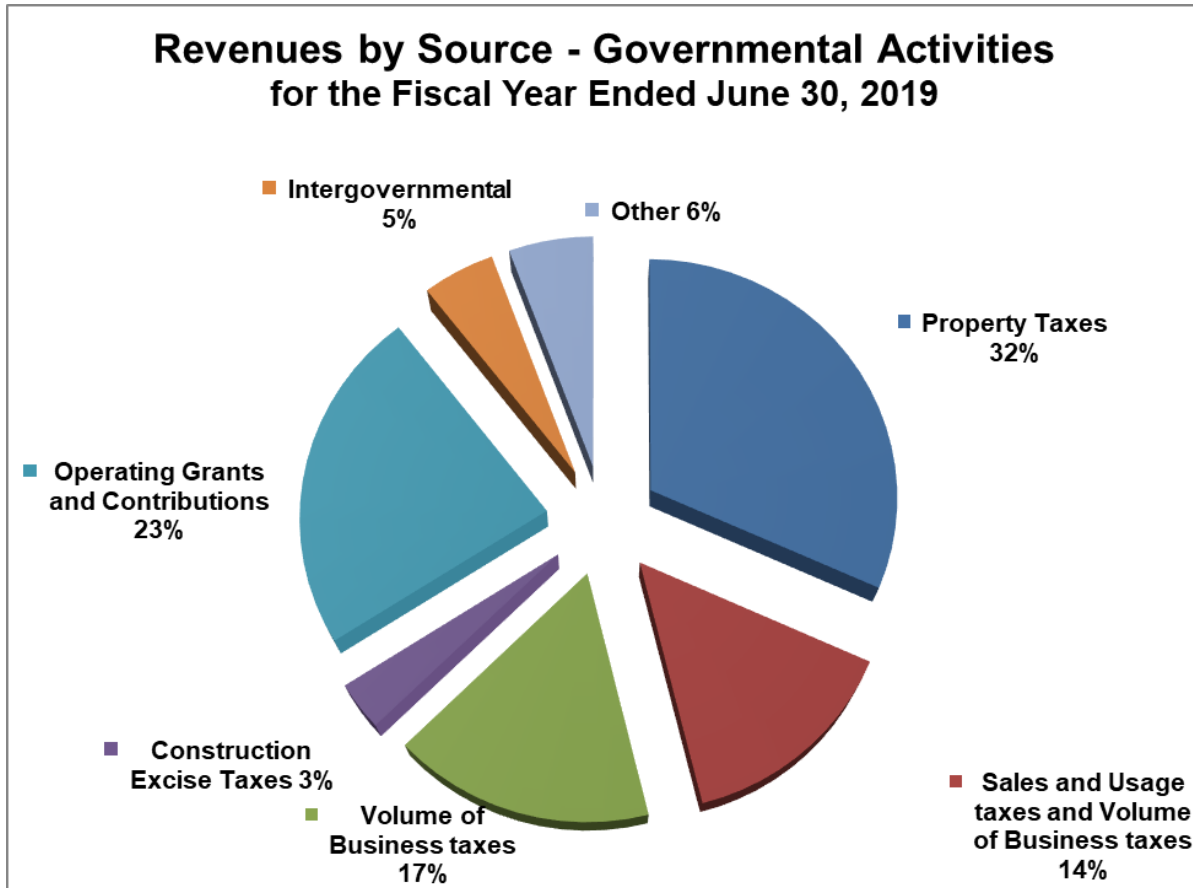
- General Government increased 12.82% – due to increase in payments of salaries and fringe benefits and a liquidation from FSE.
- Health and Welfare decreased 72.73% – the decrease was mainly in the reduction of contribution to the Public Health plan.
- Public Works decreased 11.44% – the decrease was mainly in works related to projects of damages of Hurricane María that were made in the last year.
- Economic and Social Development increased 23.55% – the increase was mainly in contributions made to other corporations during the fiscal year.

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Figure 4



Financial Analysis of the Municipality's Funds

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

Governmental Funds – The focus of The Municipality's governmental funds is to provide information on near-term inflows, outflows, and balances of usable resources. Such information is useful in assessing the Municipality's financing requirements. Specifically, unassigned fund balance can be a useful measure of a government's net resources available for spending at the end of the fiscal year.

At June 30, 2019, the governmental funds of the Municipality reported a combined fund balance of \$11,088,565. This amount represents a decrease of \$12,101,455 or 53% over last year. Following is a summary of the most relevant funds' changes when compared to prior year:

General Fund – The general fund revenues increased by \$9 million, of which, approximately \$2.7 million are related to an increase in volume of business taxes, increase of \$2.4 million in construction excise taxes, \$2.3 million in federal grants, \$1.2 fines and \$831,000 in sales and usage taxes. The expenditures decreased by approximately \$7.5 million, in comparison from prior year. The categories with the major decreases were Health and Welfare decreased by \$8.2 million or 79%, due to the reduction of contributions to the public health plan.



The Sanitation and Environmental function decreased by 29% or \$5.7 million, mainly on the debris removal costs incurred on the Hurricane' Maria damages in prior year. Major increases in expenditures were in General Government and Capital Outlays of \$5.6 million, due to increase on payroll and related benefits, capital assets acquisitions and professional services and \$1.1 million in Economic and Development.

The net change in fund balance from General Fund, is due to adjustments and transfer of cash to the Debt Service Fund in order to account for the special payment of cash from GDB accounted for in the General Fund, and also to adjust any interfund debt with other funds due to this transaction.

Capital Projects Fund – Revenues from capital projects fund increased by \$1.2 million, due to an increase in federal fund, CDBG, and expenditures increased by \$2 million. This increase was caused by the expenditures related to public works of \$1.3 million.

Debt Service Fund –The fund's expenditures increased by \$23.4 million, caused by an increase in the debt service principal payments, because of the special payment to reduce debt, required by law.

Health and Human Services Fund – Revenues and expenditures from the HHS fund increased by \$2.6 million, approximately, from federal grants appropriations. The fund had net change of (\$292,017), mainly for funds expended and not received from the Child Care and Development Fund and the Title III Cluster for Aging, during the revenue recognition period.

Other Governmental Funds – Revenues increased by \$405 thousand, mainly due to an increase in federal assignments, and other revenues that were one-time revenues. The expenditures increased by \$769 thousand, specially in the capital outlay function, resulting on a net increase of \$340,233.

General Fund Budgetary Highlights: During the fiscal year 2019, the Municipality's budget was changed, according to the latest results and ordinances and resolutions approved by the Mayor and the Municipal Legislature. Generally, budget amendments fall into one of three categories: 1) amendments made to adjust the estimates that are used to prepare the original budget ordinance once exact information is available; 2) amendments made to recognize new funding amounts from external sources, such as Federal and State grants and from appropriation from prior year fund balance; and 3) increases in appropriations as a result of cash surplus from prior period to supplement capital projects funding and general government activities.

The following were most significant budgetary transactions:

- The original General Fund appropriation for fiscal year 2019 was \$82,707,439 which is less than the prior year appropriations by \$8,877,053.
- Actual budgetary transactions generated an excess of resources over appropriations of \$2,380,145 due to the following:
 - Actual revenues were more than budgeted amounts by \$1,165,212. This was the result of a combination of a decrease in Construction Excise Taxes that were not attained as budgeted, and an increase in Volume of Business Taxes. This increase is in part due to a legal settlement from which prior taxes were collected in approximately \$1.5 million.
 - Actual appropriations resulted in an economy of \$1,214,933. All functions presented economies.

continue



Figure 5

	Original	Increases	Final
Resources:			
Property Taxes	\$ 26,964,123	\$ -	\$ 26,964,123
Volume of Business Taxes	22,860,300	-	22,860,300
Sales and Usage Taxes	16,919,000	-	16,919,000
Construction Excise Taxes	8,315,000	-	8,315,000
Intergovernmental Revenues	5,279,371	-	5,279,371
Interest	50,000	-	50,000
Rent and Other Resources	1,709,645	-	1,709,645
Fines and Penalties	610,000	-	610,000
Amounts available for appropriation	<u>82,707,439</u>	<u>-</u>	<u>82,707,439</u>
Expenditures charged to appropriations:			
General Government	42,132,937	2,072,728	44,205,665
Public Safety	7,682,750	(659,389)	7,023,361
Public Works	8,209,038	(331,017)	7,878,021
Culture and Recreation	3,362,122	(175,610)	3,186,512
Health and Welfare	1,817,437	(152,307)	1,665,130
Economic and Social Development	3,214,102	(43,240)	3,170,862
Housing	734,149	(34,087)	700,062
Sanitation and Environmental	13,931,679	(588,919)	13,342,760
Education	1,623,225	(88,159)	1,535,066
Total charges to appropriations	<u>82,707,439</u>	<u>-</u>	<u>82,707,439</u>
Excess of resources over appropriations	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

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continue



Capital Asset and Debt Administration

Capital Assets – The Municipality's capital assets for its governmental activities as of June 30, 2019, total \$384,389,592 (net of accumulated depreciation). These assets include buildings, roads and bridges, land, machinery and equipment, park and recreations facilities, and vehicles. New construction in progress began during the year, most of them are related to improvements to facilities affected by Hurricane Maria, for a total investment during the year of \$1,867,169. Depreciation expense for the fiscal year was \$14,564,224, and additions to equipment and other capital assets were \$4,021,482. Retirements of capital assets during year were mainly in facilities and buildings (\$581,458), which were donations to some entities for future development and social benefit, presenting a loss on disposition of \$375,860. In addition, a sale of land with a cost of \$46,338 was made, which reported a gain of \$1,353,662.

**The Municipality's Capital Assets
(Net of Depreciation)
Figure 6**

	Total			Percentage Change
	2019	2018	Dollar Change	
<u>Capital assets not being depreciated</u>				
Land and improvements	\$ 93,262,982	\$ 93,309,320	\$ (46,338)	-0.05%
Construction in progress	1,923,246	129,190	1,794,056	1388.70%
Works of art and historical treasures	2,645,189	2,522,614	122,575	4.86%
Total not being depreciated	<u>97,831,417</u>	<u>95,961,124</u>	<u>1,870,293</u>	1.95%
<u>Capital assets net of depreciation</u>				
Facilities and improvements	51,823,266	54,110,011	(2,286,745)	-4.23%
Buildings and improvements	57,876,093	59,850,503	(1,974,410)	-3.30%
Infrastructure	168,674,008	175,688,947	(7,014,939)	-3.99%
Equipment and vehicles	<u>8,184,808</u>	<u>7,766,585</u>	<u>418,223</u>	5.38%
Total net of depreciation	<u>286,558,175</u>	<u>297,416,046</u>	<u>(10,857,871)</u>	-3.65%
Total capital assets net of depreciation	<u>\$ 384,389,592</u>	<u>\$ 393,377,170</u>	<u>\$ (8,987,578)</u>	-2.28%

Additional information on the Municipality's capital assets can be found on Note 11 of the Basic Financial Statements on pages 65-66.

Major additions to constructions in progress (disbursements of more than \$100,000) as of June 30, 2019 are as follows:

Project	Amount
Repairs to the Municipal Governmental Center Angel Rivera Rodriguez	\$ 326,050
Repairs to the "Recreo Deportivo del Sureste"	337,437
Improvements to Multigenerational Head Start	443,390
Improvements to SIOC Building	<u>255,295</u>
	<u>\$ 1,106,877</u>

continue



Deferred Outflows / Inflows of Resources

Deferred Outflows of Resources

Deferred outflows of resources are new to the Municipality's Statement of Net Position for this fiscal year. This classification balance, although similar to "assets," is set apart because these items do not meet the technical definition of being a Municipality asset on the date of these financial statements. In other words, these amounts are not available to pay liabilities in the way assets are available. When all the recognition criteria are met, the deferred outflow of resources will become an expense/expenditure.

The most significant deferred outflow of resources reported are related to the implementation of GASB Statement No. 68 and GASB Statement No. 71 for pension liability reporting. GASB 71 requires that contributions made during the fiscal year to the retirement system be reported as deferred outflows of resources. Consequently, most the deferred outflows of resources reported are comprised of current year contributions to the retirement system. We were unable to present the applicable amounts under GASB Statement 73, there may be some deferred outflows of resources attributable to the various components that impact pension changes, and can include investment changes amortization, changes due to actuarial assumptions, and differences between expected or actual experience.

Deferred Inflows of Resources

Deferred inflows of resources are the counterpart to deferred outflows of resources on the Statement of Net Position. Deferred inflows of resources are not technically liabilities of the Municipality as of the date of the financial statements. When all the recognition criteria are met, the deferred inflow of resources will become revenue or an increase to net position.

Deferred inflows of resources related to pensions represent a net amount attributable to the various components that impact pension changes, and can include investment changes amortization, changes due to actuarial assumptions, and differences between expected or actual experience. We were unable to present applicable amounts related to the implementation of GASB Statement No. 73, the amounts included were those applicable under GASB 68.

More detailed information about the Municipality's deferred outflows of resources and deferred inflows of resources is presented in Notes 13 and 18 to the financial statements on pages 66-67 and 74-75 respectively of this report.

Long-Term Debts – As of June 30, 2019, the Municipality had total bonded debt outstanding of Special and General Obligations of \$178,048,792 all of which is debt backed by the full faith and credit of the Municipality.

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The Municipality's Outstanding Debts
Long-Term Debts
Figure 7

	Governmental Activities		Dollar Change	Percentage Change
	2019	2018		
General Obligations Bonds	\$ 126,514,532	\$ 151,028,318	\$ (24,513,786)	-16.23%
Special Obligations Bonds	51,534,260	63,828,000	(12,293,740)	-19.26%
Federal Loans	5,600,000	6,200,000	(600,000)	-9.68%
Net Pension Liability	236,074,839	236,074,839	-	0.00%
Law No. 142-MRCC	1,253,087	1,311,119	(58,032)	-4.43%
PR Retirement System Administration	4,137,050	4,137,050	-	0.00%
Claims and Judgments	171,387	209,116	(37,729)	-18.04%
MRCC-Property Taxes Liquidation	149,233	149,233	-	0.00%
Christmas Bonus	830,363	832,924	(2,561)	-0.31%
Retainage Liability	141,979	15,934	126,045	791.04%
Compensated Absences	13,008,141	12,747,834	260,307	2.04%
Total	\$ 439,414,871	\$ 476,534,367	\$ (37,119,496)	-7.79%

The Municipality's debt related to General, Special and Federal obligations decreased by \$37,407,526 (17%) during the fiscal year 2019. A significant decrease in long term debts, is due to payment of \$24.7 million additional payment, required by law, to reduce the municipal's debt.

During fiscal year 2018-2019, the Municipality, refinanced, several loans (for \$31.6 million), to reduce interest costs, refer to Note 16.

Additional information on the Municipality's long-term debts can be found on Note 16 of the Basic Financial Statements on pages 67 through 73.

The Commonwealth of Puerto Rico limits the amount of general obligation debt that a municipal government can issue to 10 percent of the total assessed value of taxable property located within the municipality's jurisdiction. On March 2009, the Government of Puerto Rico enacted the Special Act, Declaring a State of Fiscal Emergency and Establishing an Integrated Fiscal Stabilizing Plan to Save the Credit of Puerto Rico (Public Law 7). Among other things, this Law introduced a new way to view the Real Property valuation (see Note 26 on page 117 of the accompanying financial statements).

Also, the Municipality has a sales tax redemption fund, composed of .2% of the .5% of the municipal sales tax rate portion of 1.5%, to support the debt service fund capacity. This fund, in addition to other variables, is used to calculate the Municipality's borrowing capacity, along with the property tax redemption fund, within a specific timeframe. On February 1, 2014 was enacted Act Nos. 18 and 19 that change the composition of the sales and usage taxes (see Note 3).

continue



Summary of Local Economy

The Municipality of Caguas was founded in 1775. Caguas has the fifth largest population of Puerto Rico with boundaries that encompass an area of approximately 59.07 square miles, and according to the 2010 Puerto Rico Community Survey the population of Caguas was 142,893. It was estimated by the US Census that the population of Puerto Rico had an overall decrease of over 19,000 citizens during the last 15 months ended on July 2012. Notwithstanding, it was also estimated that from the largest municipalities, Caguas had the lowest decrease of 1.7%. The Municipality's jurisdiction is bounded on the North by the Municipalities of San Juan and Trujillo Alto, on the South by the Municipalities of Cayey and San Lorenzo, on the East, by the Municipalities of Gurabo and San Lorenzo, and on the West by the Municipalities of Aguas Buenas and Cidra.

The largest employers in Caguas are the State and the Municipal governments, Centro Medico del Turabo, Fundación Ana G. Mendez, Kelly Temporary Services, G4SSecure Solutions Puerto Rico, St. Jude Medical Puerto Rico, Atento de Puerto Rico, Walmart and Sam's Club, Hospital Menonita, Aireko Construction LLC, Econo Turabo, M J Consulting and Development.

The Municipality's economy has an industry composition somewhat like the rest of the island's largest Municipalities. In the 1960's textile manufacturing and agriculture made up the largest amount of the local economy, but by the mid-seventies the manufacturing share of employment had declined to a lower percentage.

Major Industries and Services (including Government)

Government Services: The governmental service is the largest source of employment in the Municipality, accounting for the largest quantity of employment. The Municipal government sector remains stable in relation to the past year. Government sector includes a diversity of employment areas such as education, electric power service, water supply, police, public works, culture and recreation, health, legal service, and others.

Health Services: As a major regional medical center, the medical services industry is one of the largest employers in the area. It includes the privately-owned hospitals, HIMA-San Pablo and Hospital Menonita, formerly San Juan Bautista. These facilities provide primary, secondary and tertiary health services to the residents of Caguas and adjacent small towns, and are responsible for establishing and developing strategies and programs designed to promote health, prevent diseases and early detection and diagnosis of health problems. They promote adequate health treatment and rehabilitation services as well.

Caguas is included in the Commonwealth's Health Reform program. The Commonwealth's Health Reform program consists of comprehensive health insurance coverage for qualifying low-income residents of Puerto Rico through a managed care system. Under the Health Reform program, the Government of Puerto Rico selects, through a bidding system, one private health insurance company in each of several designated regions of Puerto Rico and pays such insurance company the insurance premiums for each eligible beneficiary within such region. In accordance with Law No. 253-2018, the annual contribution to the municipalities was waived during the period from July 1, 2018 to September 30, 2019. Accordingly, the Municipality had no Healthcare Costs during fiscal year 2018-2019. Caguas participates in this program not only as a health provider, through its facilities, but also as an Independent Provider Association (IPA) sharing with insurers the health insurance risk.

continue



Trade (Retail and Wholesale): The trade sector is the strongest growing sector in the area. Many major national chains such as Wal-Mart, Costco, and Home Depot have expanded into the area, helping maintain relatively stable levels of consumer spending.

Going Concern – Commonwealth of Puerto Rico

As explained on Note 26 to the basic financial statements on pages 117-119 of this report, the Commonwealth of Puerto Rico (Commonwealth) currently faces a severe fiscal, economic and liquidity crisis, the culmination of many years of significant governmental deficits, a prolonged economic recession (which commenced in 2006), high unemployment, population decline, and high levels of debt and pension obligations. Further stressing the Commonwealth's liquidity is the vulnerability of revenue streams during times of major economic downturns and large health care, pension and debt service costs. As the Commonwealth's tax base, has shrunk and its revenues affected by prevailing economic conditions, health care, pension and debt service costs have become an increasing portion of the General Fund budget, which has resulted in reduced funding available for other essential services, like subsidies to municipalities, which are instrumentalities of the Commonwealth.

On May 3, 2017, the Commonwealth of Puerto Rico and the Oversight Board established by Congress filed for bankruptcy under Title III of PROMESA in what is poised to become one of the largest bankruptcies in the United States history. The Commonwealth will not be able to honor all of its obligations as they come due while at the same time providing essential government services. These factors create an uncertainty about the Commonwealth's ability to continue as a going concern.

Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA)

Also, attention was directed to Note 27 to the basic financial statements on pages 119-133 of this report, related to the Puerto Rico Oversight, Management, and Economic Stability Act, Pub. Law 114-187 ("PROMESA" or the "Act"), was enacted into law on June 30, 2016. The Senate had passed PROMESA on June 29, 2016, and President Obama signed the Act into law on June 30, 2016, one day before the Commonwealth of Puerto Rico was expected to, and did, default on substantial payment obligations. As part of the requirement imposed by this bill, the Commonwealth must reduce the deficit by increase revenues and reduce substantially expenses, including subsidies to the municipalities of Puerto Rico.

As part of the Fiscal Plan presented by the Governor of Puerto Rico to attend the fiscal crisis, a proposal contemplates a reduction of \$370 million of subsidies to the municipalities of Puerto Rico. Also, a new increase in rates of property tax is contemplated to substitute the reduction in subsidies. Already in FY 2018, the total municipal appropriation was reduced by \$150 million, bringing the new baseline appropriations to \$220 million per year.

Going forward from this baseline, with the New Fiscal Plan approved by the Oversight Board on May 9, 2019 (Sixth Fiscal Plan), there must be a reduction of 20% in each successive year, holding appropriations constant at roughly 45-50% of current levels starting in FY 2022 before ultimately phasing out all subsidies in FY 2024.

Economic and Budget Highlights for the Fiscal Year Ending June 30, 2020

Governmental Activities: Governmental Activities: The general fund budget for fiscal year 2019-2020 will be \$82.6 million, representing a decrease of \$100 thousand when compared with fiscal year ended June 30, 2019. These \$82.6 are composed of \$74.4 million from taxes, \$ 5.8 from governmental grants and \$ 2.4 million from charges from services.

Special revenues funds budget will be composed, mainly, from federal grants, \$33.4 million. For the repayment of long-term debt, budget will be expected to be \$17.2 million. These resources will come from property and sales and usage taxes revenues.

continue



In March 15, 2020, the Government of Puerto Rico lockdown must of government and private business operations in Puerto Rico in order to avoid the spreading of the COVID-19 infection among the people in Puerto Rico. This situation will have an economic impact over the Municipality for fiscal year 2019-2020 and fiscal year 2020-2021, as exceptions and dates for filing taxes were waived for more than 3 months. The economic damages to the Municipality finances could not been estimated at this time.

Requests for Information

This report is designed to provide an overview of the Municipality's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to: Autonomous Municipality of Caguas, Office of the Mayor, P.O. Box 907, Caguas, Puerto Rico, 00726-0907, or <http://www.caguas.gov.pr>.



	GOVERNMENTAL ACTIVITIES
ASSETS:	
Current Assets:	
Cash and Investments	\$ 25,887,846
Cash with Fiscal Agent	21,302,638
Receivables (Net):	
Sales and Usage Taxes	2,753,233
Volume of Business Taxes	961,013
Due from Government Units	1,421,697
Federal Grants	16,467,276
Other	285,217
Restricted Cash	<u>1,110,353</u>
Total Current Assets	<u>70,189,273</u>
Non-Current Assets:	
Loans Receivables, Net	510,881
Notes Receivable, Net	136,610
Land, Improvement and Construction in Progress	97,831,417
Other Capital Assets [Net of Accumulated Depreciation]	286,558,175
Housing Units Held for Sale	154,848
Idle Units Held for Future Use	<u>1,252,349</u>
Total Non-Current Assets	<u>386,444,280</u>
TOTAL ASSETS	<u>456,633,553</u>
DEFERRED OUTFLOWS OF RESOURCES:	
Contributions to Employees Retirement System	<u>43,151,663</u>
TOTAL OUTFLOWS OF RESOURCES	<u>43,151,663</u>
LIABILITIES:	
Current Liabilities:	
Accounts Payable	9,943,398
Accrued Expense	830,363
Accrued Interest	3,998,342
Bonds Payable	12,777,700
Advance Deposits	1,143,616
Unearned Revenues - Volume of Business Taxes	17,269,359
Accrued Compensated Absences	3,904,576
Claims and Judgements	110,000
Due to Governmental Entities	<u>4,523,281</u>
Total Current Liabilities	<u>54,500,635</u>



	GOVERNMENTAL ACTIVITIES
Non-Current Liabilities:	
Bonds Payable	165,871,092
Accrued Compensated Absences	9,103,565
Claims and Judgements	61,387
Due to Governmental Entities	5,328,259
Retainage Payable	141,979
Community Development Loan Program	5,000,000
Net Pension Liability	<u>236,074,839</u>
Total Non-Current Liabilities	<u>421,581,121</u>
TOTAL LIABILITIES	<u>476,081,756</u>
DEFERRED INFLOWS OF RESOURCES:	
Unamortized Investment in Employees Retirement System	<u>4,518,298</u>
TOTAL INFLOWS OF RESOURCES	<u>4,518,298</u>
NET POSITION:	
Net Investment in Capital Assets	257,976,410
Restricted for:	
Capital Projects	8,105,892
Debt Service	15,367,173
Head Start Program	11,004,354
Other Purposes	5,418,622
Unrestricted (Deficit)	<u>(278,687,289)</u>
TOTAL NET POSITION	<u>\$ 19,185,162</u>



Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenues
		Charges For Services	Operating Grants and Contributions	Capital Grants and Contributions	
Governmental Activities:					
General Government	\$ 38,271,730	\$ -	\$ 147,410	\$ -	\$ (38,124,320)
Public Safety	7,461,983	1,662,495	94,502	4,747	(5,700,239)
Public Works	18,125,103	-	-	161,051	(17,964,052)
Culture and Recreation	8,264,803	161,578	-	-	(8,103,225)
Health and Welfare	3,049,634	-	719,793	-	(2,329,841)
Economic and Social Development	7,161,351	1,032,397	6,829,971	-	701,017
Housing	9,669,283	-	9,178,896	-	(490,387)
Sanitation and Environmental	14,150,461	68,036	16,363	-	(14,066,062)
Education	20,755,406	-	18,628,859	-	(2,126,547)
Unallocated Interest	11,087,368	-	-	-	(11,087,368)
Total Governmental Activities	\$ 137,997,122	\$ 2,924,506	\$ 35,615,794	\$ 165,798	(99,291,024)
General Revenues:					
Taxes:					
Property Taxes, levied for General Purposes					28,491,998
Property Taxes, levied for Debt Service					19,908,176
Volume of Business Taxes					25,407,084
Sales and Usage Taxes					22,093,052
Construction Excise Taxes					4,968,686
Intergovernmental					7,491,166
Interest					501,922
Donated Capital Assets					120,000
Gain on Sale of Capital Asset					1,353,662
Insurance Recovery					797,274
Other General Revenues					3,072,873
Total General Revenues					114,205,893
CHANGES IN NET POSITION					14,914,869
Net Position – Beginning of Year, As Restated					4,270,293
NET POSITION – ENDING OF YEAR					\$ 19,185,162

The accompanying Notes to Financial Statements are an integral part of this statement.

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COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS

BALANCE SHEET – GOVERNMENTAL FUNDS
JUNE 30, 2019

	GENERAL FUND	CAPITAL PROJECTS FUND	DEBT SERVICE FUND	HEALTH AND HUMAN SERVICES FUND	OTHER NON MAJOR FUNDS	TOTAL GOVERNMENTAL FUNDS
ASSETS:						
Cash and Cash Equivalents	\$ 14,015,556	\$ 7,940,698	\$ -	\$ 26,868	\$ 3,904,724	\$ 25,887,846
Cash with Fiscal Agent	-	1,823,551	19,365,515	-	113,572	21,302,638
Receivables:						
Sales and Usage Taxes	2,753,233	-	-	-	-	2,753,233
Volume of Business Taxes	961,013	-	-	-	-	961,013
Due from Governmental Units	1,421,697	-	-	-	-	1,421,697
Federal Grants	135,242	1,789,605	-	12,457,431	2,084,998	16,467,276
Due from Other Funds	4,056,419	-	-	-	-	4,056,419
Others	274,893	-	-	-	10,324	285,217
Loans Receivable	-	-	-	-	510,881	510,881
Restricted Cash	-	1,110,351	-	-	2	1,110,353
Total Assets	\$ 23,618,053	\$ 12,664,205	\$ 19,365,515	\$ 12,484,299	\$ 6,624,501	\$ 74,756,573
LIABILITIES:						
Account Payable	\$ 8,094,158	\$ 856,574	\$ -	\$ 544,700	\$ 447,966	\$ 9,943,398
Bond Payable	-	-	7,687,700	-	-	7,687,700
Interest on Bonds Payable	-	-	3,998,342	-	-	3,998,342
Due to Governmental Entities	4,312,170	-	-	-	-	4,312,170
Due to Other Funds	-	862,209	-	1,741,647	1,452,563	4,056,419
Advance Deposits	1,142,616	-	-	-	1,000	1,143,616
Unearned Revenues – Volume of Business Taxes	17,269,359	-	-	-	-	17,269,359
Total Liabilities	30,818,303	1,718,783	11,686,042	2,286,347	1,901,529	48,411,004
DEFERRED INFLOWS OF RESOURCES:						
Unavailable Revenues:						
Commonwealth of Puerto Rico	1,357,484	-	-	-	-	1,357,484
Federal Grants	-	1,158,025	-	10,989,894	1,751,601	13,899,520
Total Deferred Inflows of Resources	1,357,484	1,158,025	-	10,989,894	1,751,601	15,257,004
FUND BALANCES:						
Restricted	858,446	3,882,921	7,679,473	14,460	3,632,591	16,067,891
Committed	-	-	-	-	34,430	34,430
Assigned	-	5,904,476	-	-	-	5,904,476
Unassigned (Deficit)	(9,416,180)	-	-	(806,402)	(695,650)	(10,918,232)
Total Fund Balances	(8,557,734)	9,787,397	7,679,473	(791,942)	2,971,371	11,088,565
Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 23,618,053	\$ 12,664,205	\$ 19,365,515	\$ 12,484,299	\$ 6,624,501	\$ 74,756,573

The accompanying Notes to Financial Statements are an integral part of this statement.



Total Fund Balances – Government Funds (Page 27)	\$ 11,088,565
Amount reported for Governmental Activities in the Statement of Net Position (Page 24)	
are different because:	
Capital Assets used in governmental activities are not financial resources and therefore are not reported in the funds. In the current period, these amounts are:	
Non Depreciable Capital Assets	\$ 97,831,417
Depreciable Capital Assets	693,837,003
Accumulated Depreciation	<u>(407,278,828)</u>
Total Capital Assets	384,389,592
Other assets held for sell of idle property held for future use are not financial resources and therefore, are not reported in the funds. In the current period, these amounts are:	
Housing Units Held for Sale	154,848
Idle Units Held for Future Use	<u>1,252,349</u>
Total Other Assets	1,407,197
Deferred Outflows of Resources in Governmental Activities are not recorded in the funds in the current period.	43,151,663
Notes Receivables from sale of capital assets in Governmental Activities are not recorded in the funds in the current period.	136,610
Some of the Municipality's revenues will be collected after year-end but are not available soon enough to pay for the current period's expenditures and therefore are unavailable in the funds:	
Federal Grants	13,899,520
MRCC- Property Taxes	<u>1,357,484</u>
Total Unavailable Revenues	15,257,004
Deferred Inflows of Resources in Governmental Activities corresponded to future period and therefore are not reported in the funds.	(4,518,298)
Some liabilities are not due and payable in the current period and therefore are not reported in the funds. Those liabilities consist of:	
General and Special Obligation Bonds	(175,961,092)
Net Pension Liability	(236,074,839)
Compensated Absences	(13,008,141)
MRCC- Property Taxes Liquidation	(149,233)
Puerto Rico Retirement System Administration	(4,137,050)
Claims and Judgments	(171,387)
Christmas Bonus	(830,363)
Retainage Payable	(141,979)
Law No. 142	<u>(1,253,087)</u>
Total Long-Term Liabilities	<u>(431,727,171)</u>
Total Net Position of Governmental Activities (Page 25)	\$ <u>19,185,162</u>

The accompanying *Notes to Financial Statements* are an integral part of this statement.



COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES – GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2019

	GENERAL FUND	CAPITAL PROJECTS FUND	DEBT SERVICE FUND	HEALTH AND HUMAN SERVICES FUND	OTHER NON MAJOR FUNDS	TOTAL GOVERNMENTAL FUNDS
REVENUES:						
Property Taxes	\$ 27,760,268	\$ -	\$ 19,908,176	\$ -	\$ -	\$ 47,668,444
Volume of Business Taxes	25,407,084	-	-	-	-	25,407,084
Sales and Usage Taxes	17,831,776	-	4,261,276	-	-	22,093,052
Construction Excise Taxes	4,968,686	-	-	-	-	4,968,686
Federal Grants	5,579,469	1,857,329	-	17,181,302	10,793,213	35,411,313
Fines and Penalties	1,662,495	-	-	-	-	1,662,495
Intergovernmental	8,643,092	115,775	-	-	-	8,758,867
Interest	362,497	57,039	41,544	272	32,837	494,189
Rent and Other Services	1,060,810	27,546	-	-	9,462	1,097,818
Solid Waste Disposal	40,490	-	-	-	-	40,490
Other General Revenues	1,874,199	184,305	-	-	789,991	2,848,495
Total Revenues	95,190,866	2,241,994	24,210,996	17,181,574	11,625,503	150,450,933
EXPENDITURES:						
Current						
General Government	36,878,294	371,021	279,875	-	143,169	37,672,359
Public Safety	6,796,756	-	-	-	455,396	7,252,152
Public Works	9,156,269	1,422,183	-	-	110,626	10,689,078
Culture and Recreation	4,444,529	17,000	-	-	29,261	4,490,790
Health and Welfare	2,137,341	175,244	-	311,609	266,133	2,890,327
Education	2,194,888	70,128	-	15,630,459	1,306,346	19,201,821
Sanitation and Environmental	13,650,003	346,281	-	-	1,782	13,998,066
Economic and Social Development	5,369,187	442,655	-	819	185,532	5,998,193
Housing	654,332	144,276	-	-	8,745,902	9,544,510
Capital Outlay	2,535,015	556,225	-	1,530,704	1,143,237	5,765,181
Debt Service:						
Principal	58,032	600,000	36,682,320	-	-	37,340,352
Interest and Other Charges	81,347	29,261	10,976,760	-	-	11,087,368
Total Expenditures	83,955,993	4,174,274	47,938,955	17,473,591	12,387,384	165,930,197
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	11,234,873	(1,932,280)	(23,727,959)	(292,017)	(761,881)	(15,479,264)

continue



COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES – GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2019

	GENERAL FUND	CAPITAL PROJECTS FUND	DEBT SERVICE FUND	HEALTH AND HUMAN SERVICES FUND	OTHER NON MAJOR FUNDS	TOTAL GOVERNMENTAL FUNDS
OTHER FINANCING SOURCES (USES):						
Proceed of Bonds	\$ -	\$ -	\$ -	\$ -	\$ 900,660	\$ 900,660
Refunding Bonds Issued	-	-	31,565,000	-	-	31,565,000
Payment to Refunded Bonds	-	-	(31,285,125)	-	-	(31,285,125)
Insurance Claims Recovery	797,274	-	-	-	-	797,274
Transfers – In	2,050,371	8,575,240	13,750,955	-	309,616	24,686,182
Transfers – Out	(19,618,033)	(3,032,592)	(1,927,395)	-	(108,162)	(24,686,182)
Total Other Financing Sources (Uses)	(16,770,388)	5,542,648	12,103,435	-	1,102,114	1,977,809
SPECIAL ITEMS:						
Sales of Other Assets	1,400,000	-	-	-	-	1,400,000
Total Special Items	1,400,000	-	-	-	-	1,400,000
Net Change in Fund Balances	(4,135,515)	3,610,368	(11,624,524)	(292,017)	340,233	(12,101,455)
Fund Balances – Beginning, As Restated	(4,422,219)	6,177,029	19,303,997	(499,925)	2,631,138	23,190,020
FUND BALANCES – ENDING	\$ (8,557,734)	\$ 9,787,397	\$ 7,679,473	\$ (791,942)	\$ 2,971,371	\$ 11,088,565

The accompanying *Notes to Financial Statements* are an integral part of this statement.



Net Change in Fund Balances – Government Funds (Page 30) **\$ (12,101,455)**

Amount reported for Governmental Activities in the Statement of Activities (Page 26)
are different because:

Governmental funds report capital outlays as expenditures. However, in the Statement of
of Activities the cost of those assets is allocated over their estimated useful lives and
reported as depreciation expense. In the current period, these amounts are:

Capital Outlays	\$ 5,765,181	
Donated Capital Assets	120,000	
Depreciation Expense	<u>(14,564,224)</u>	
Excess of Capital Outlays over Depreciation Expense		(8,679,043)

Revenues in the Statement of Activities that do not provide current financial resources are
not reported as revenues in the funds:

Federal Grants	(549,341)	
MRCC - Property Taxes Liquidation	<u>731,730</u>	
Total Revenues		182,389

Governmental funds only report the proceeds received in the disposal of assets. In the
Statement of Activities, a gain or loss is reported for each disposal. Thus, the change
in net position differs from the change in fund balance by the cost of the disposed asset. (434,555)

Notes receivables classified as long term, because the due date is not current, are
recorded in the Statement of Net Position. In the current period the change in note
receivables was 7,733

Proceed of Loan provide current financial resources to governmental funds, but issuing debt
increase Noncurrent Liabilities in the Statement of Net Position. In the current period,
proceeds received was (1,180,535)

Repayment of long-term principal is expenditure in the governmental funds, but the
repayment reduced Noncurrent Liabilities in the Statement of Net Position. In the
current period repayments were 37,340,352

Some expenses reported in the Statement of Activities do not require the use of current
financial resources and therefore are not reported as expenditures in governmental
funds. These activities consist of:

Decrease in Legal Claims	37,729	
Decrease in Christmas Bonus	2,561	
Increase in Compensated Absences	<u>(260,307)</u>	
Total Additional Expenses		<u>(220,017)</u>

Change in Net Position of Governmental Activities (Page 26) **\$ 14,914,869**

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1. FINANCIAL REPORTING ENTITY

The accompanying financial statements present information on the financial activities of the Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality) over which the Mayor and the Municipal Legislature, have direct or indirect governing and fiscal control. The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP).

A. Organization

The Municipality was founded in 1775, and operates as a governmental unit of the Commonwealth of Puerto Rico under Law No. 81 of August 30, 1991, known as the "Autonomous Municipalities Laws of the Commonwealth of Puerto Rico". The governmental system of the Municipality is composed of the executive and legislative bodies. It is governed by a Mayor and a 16-member Municipal Legislature elected for a four-year term.

The Municipality provides services such as: health, public works, sanitation, aids and services to low-income and elderly citizens, public safety, housing and urban development, culture and recreation, planning, zoning and other general and administrative services. As a government entity, the Municipality is exempt from both federal and state taxes.

B. Reporting Entity

A reporting entity is comprised of (1) the primary government, (2) component unit organizations for which the primary government is financial accountable, and (3) other organizations for which the nature and significance of their relationship with the primary government is such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete, and they are financially accountable to the primary government. The primary government consists of all funds, departments, boards and agencies that are not legally separate from the Municipality and for which the Municipality is financial accountable.

The accompanying basic financial statements include all departments and organizations units whose funds are under the custody and control of the Municipality. In evaluating the Municipality as a reporting entity, management has addressed all the potential component units. GASB Accounting Standards Codification Section 2600, *Reporting Entity and Component Unit Presentation and Disclosure*, require the inclusion of organizations that raise and hold funds for the direct benefit of the primary government.

GASB Accounting Standards Codification Section 2100, *Defining the Financial Reporting Entity*, describes the criteria for determining which organizations, functions, and activities should be considered part of the Municipality for financial reporting purposes. The primary criteria include appointing a voting majority of an organization's governing body, and the Municipality's ability to impose its will on that organization or the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Municipality. Second criteria used in evaluating potential component units is if the nature and significance of the relationship between the organization and a primary government are such that to exclude the organization from the financial reporting entity would render the financial statements misleading or incomplete.

A legally separate, tax-exempt organization should be discretely presented as a component unit if all of the following criteria are met: (a) the economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents; (b) the primary government, or its component units, is entitled to, or has the ability to otherwise access, a majority of the economic resources received or held by the separate organization, and; (c) the economic resources received or held by an individual organization that the specific primary government, or its component units, is entitled to, or has the ability to otherwise access, are significant to the primary government.



1. FINANCIAL REPORTING ENTITY – continuation

GASB Statement 61, *The Financial Reporting Entity: Omnibus an Amendment of GASB Statements No. 14 and No. 34*, provides additional criteria for classifying entities as component units to better assess the accountability of elected officials by ensuring that the financial reporting entity includes only organizations for which the elected officials are financially accountable or that are determined by the government to be misleading to exclude.

There are two methods of presentation of the component unit in the financial statements: blending – the financial data of the component unit's balances and transactions in a manner similar to the presentation of the Municipality's balances and transactions; and discrete – presentation of the component unit's financial data in column separate from the Municipality's balances and transactions. The relative importance of each criterion must be evaluated in light of specific circumstances in order to determine which components units are to be included as part of the reporting entity. Based on these criteria, there are no other organizations which should be included in these basic financial statements.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

These financial statements present the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality, as of June 30, 2019, and the respective changes in financial position, and the cash flows, where applicable, thereof for the fiscal year then ended.

A. Financial Statement Presentation

The basic financial statements of the Municipality have been prepared in conformity with accounting principles generally accepted in the United States of America as applicable to local governmental units. The basic financial statements include both government-wide (based on the Municipality as a whole) and fund financial statements, which provide a more detailed level of financial information. Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as Governmental Activities.

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

Required Supplementary Information – Management's Discussion and Analysis

Management's discussion and analysis is required supplementary information that introduces the basic financial statements and provides an analytical overview of the Municipality's financial activities.

Government-wide Financial Statements (GWFS)

While separate government-wide and fund financial statements are presented, they are interrelated. The GWFS (the Statement of Net Position and the Statement of Activities) report information of all the activities of the Municipality. For the most part, the effect of interfund activity has been removed from these financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided and other charges between the government's Puerto Rico Electric Power Authority function of the government. Elimination of this charges would distort the direct cost and program revenue reported for the various functions concerned. Governmental Activities, which normally are supported by taxes and intergovernmental revenues.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

The focus of the *Statement of Net Position* is designed to be similar to bottom line results for the Municipality's governmental activities. This statement combines and consolidates governmental fund's current financial resources (short-term spendable resources) with capital assets and long-term obligations. The *Statement of Net Position* presents the reporting entities' assets, deferred outflows of resources, liabilities, and deferred inflows of resources, with the difference reported as net position. Net positions are classified as net investment in capital assets, restricted when constraints are placed on them that are imposed by external parties or by laws or regulations, and unrestricted. Designations solely imposed by the Municipality's management are not presented as restricted net position.

The *Statement of Activities* presents a comparison between direct expenses and program revenues for each function of the Municipality's Governmental Activities. *Direct expenses* are those that are clearly identifiable with a specific function or segment. In addition, to the extent that indirect costs are allocated to the various functions, the program expenses will include both direct and indirect costs. *Program Revenues* include charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items properly excluded from program revenues are reported instead as general revenues.

Governmental Funds Financial Statements (GFFS)

The GFFS [the *Balance Sheet*, and the *Statement of Revenues, Expenditures (Expenses) and Changes in Fund Balance*] provide information about the Municipality's funds. Separate statements for each fund category-governmental are presented. The emphasis on fund financial statements is on major governmental, each displayed in a separate column. All remaining governmental are aggregated and reported as nonmajor funds.

Each fund is a separate accounting entity with a self-balancing set of accounts used to record the financial transactions and balances of that entity. Individual funds have been established as stipulated by legal provisions or by administrative discretion. The Municipality uses fund accounting, which is designed to demonstrate legal compliance and to segregate transactions related to certain government functions or activities.

By definition, the general fund is always considered a major fund. Governmental funds other than the general fund must be reported as major funds if they meet both the ten percent and five percent criterion, defined respectively, (1) An individual governmental fund reports at least ten percent of any of the following: a) total governmental fund assets, b) total governmental fund liabilities, c) total governmental fund revenues, or d) total governmental fund expenditures; (2) an individual governmental fund reports at least five percent of the aggregated total for both governmental funds and enterprise funds of any one of the items for which it met the ten percent criterion. In addition, a fund may be reported as major if it is believed to be of particular importance to financial statement users.

The Municipality reports the following major governmental funds:

General Fund – This fund is the general operating fund of the Municipality. The general fund is used to account for and report all financial resources not accounted for and reported in another fund.

Capital Projects Fund – Capital projects fund is used to account for financial resources to be used for the acquisition or construction of major capital facilities, other than those financed by proprietary funds, if any. It also includes the Community Development Block Grants (CDBG) which is awarded to develop viable urban communities by providing decent housing and suitable living environment for persons of low and moderate income.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Debt Service Fund – The debt service fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal, interest, and related costs.

Health and Human Services Fund – This fund started as a major fund during this year. It is used to account for the revenue and expenditures of the Head Start Program and the Elderly Center of the Municipality as well as other related welfare services.

The Municipality periodically undertakes a comprehensive evaluation of its fund structure to ensure that it complies with all aspects that are of importance to users of general purpose external financial reports. Consequently, all superfluous funds and some operational funds currently used by the Municipality in the day-to-day accounting procedures have not been reported as individual governmental funds in the accompanying fund financial statements. Accordingly, the accompanying fund financial statements include only the minimum number of funds consistent with legal and operating requirements and, consequently, certain types of similar operational funds have been combined into single funds in the accompanying fund financial statements.

The financial statements of the governmental funds are the following:

Balance Sheet – Reports information at June 30, 2019 about the current financial resources (assets, liabilities, deferred inflows of resources and fund balances) of each major governmental fund.

Statement of Revenues, Expenditures and Changes in Fund Balances – Reports information about the inflows, outflows and balances of current financial resources of each major governmental fund for the fiscal year ended June 30, 2019.

Since the GFFS are presented in different measurement focus and basis of accounting than the GWFS, reconciliation is presented and separate explanation for each difference.

During the course of operations, the Municipality has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/to other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the GWFS. Balances between the funds included in Governmental Activities (i.e., the governmental funds) are eliminated so that only the net amount is included as internal balances in the Governmental Activities column.

Further, certain activity occurs during the fiscal year involving transfers of resources between funds. In GFFS these amounts are reported at gross amounts as transfers in/out. While reported in GFFS, certain eliminations are made in the preparation of the GWFS. Transfers between the funds included in Governmental Activities are eliminated so that only the net amount is included as transfers in the Governmental Activities column.

The Municipality reports its financial position (*Balance Sheet*) and results of operations [*Statement of Revenues, Expenditures, and Changes in Fund Balance*] in funds, which are considered separate accounting entities. The operations of each fund are accounted for within a set of self-balancing accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with legal, financial, and contractual provisions.

Notes to Financial Statements

The notes to financial statements provide information that is essential to a user's full understanding of the data provided in the basic financial statements.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Required Supplementary Information – Budgetary Information

The basic financial statements are followed by a section of required supplementary information. This section includes a *Schedule of Revenues and Expenditures Budget and Actual – General Fund – Non-GAAP Budgetary Basis*, which includes reconciliation between the statutory fund balance for budgetary purposes and the fund balance for the General Fund as presented in the GFFS.

Required Supplementary Information – Employees Retirement System

Effective July 1, 2017, was effective GASB Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets that are not within the scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*, although, as of June 30, 2019, the PRGERS hasn't issued, or made available information in order to properly adjust or disclose any deferred outflow/inflow of resources, or net OPEB obligation, if any, applicable to the Municipality. Therefore, the amounts presented were those from audited schedules applicable under GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, that was effective for the Municipality's fiscal year beginning July 1, 2014 up to June 30, 2018, up to the approval of Law No. 160-2017 that liquidated the assets of the Fiduciary Fund of the PRGERS.

Required Supplementary Information – Other Postemployment Benefits (OPEB)

The contribution requirement of ERS Medical Insurance Plan Contribution (MIPC) is established by Act No. 95 approved on June 29, 1963. There are no member or employer contributions on behalf of the MIPC. This benefit is financed on a pay-as-you-go basis from the General Fund of the Commonwealth of Puerto Rico. Since this benefit is not funded in advance, the Annual Required Contribution (ARC) for this benefit has been calculated based on an assumed investment return rate of 3.10% based on the asset allocation on the Commonwealth's general assets that are used to pay this benefit.

In accordance with GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, that replaces GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, changes similar to those implemented on GASB No. 67, *Financial Reporting for Pension Plans*, and No. 68, *Accounting and Financial Reporting for Pensions* should be made. As of June 30, 2019, the PRGERS hasn't issued, or made available information in order to properly adjust or disclose any deferred outflow/inflow of resources, or net OPEB obligation, if any, applicable to the Municipality.

B. Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Government-wide Financial Statements

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenue (including interest on deposits and investments) is generally recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Nonexchange transactions, in which the Municipality gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements and donations is recognized in the fiscal year in which all eligibility requirements have been met, other than time requirements. These resources relate to a future period (when the advance is first permitted to be used in accordance with the government-mandated nonexchange transaction or a voluntary nonexchange transaction) and, therefore, should be classified as a deferred inflow of resources until such time as the resources are first permitted to be used. Receipts on any type of revenue sources collected in advance for use in the following fiscal year are recorded as unearned revenues.

Governmental Funds Financial Statements

The GFFS are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Under this method, revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For these purposes, the Municipality considers revenues to be available if they are collected within sixty (60) days after the end of the current fiscal period. Revenues that the Municipality earns by incurring obligations are recognized in the same period as when the obligations are recognized. At June 30, 2019, all revenues sources met this availability criterion.

Property taxes, volume of business taxes, sales and usage taxes, construction excise taxes, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements and the amount is received during the period or within the availability requirements have been met. However, those resources not available for spending in the current period and, therefore should be classified as a deferred inflow of resources. Expenditures-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). Accordingly, such resources should be reported as unearned revenue in the liability section of the general fund's *Balance Sheet*. All other revenue items are considered to be measurable and available only when cash is received by the Municipality.

Expenditures are recorded when the related fund liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Principal and interest on bonds payable are recorded when they matured (when payment is due), except for principal and interest of bonds due on July 1, 2019, which are recorded as governmental fund liabilities of June 30, 2019 which is the date when resources were available in the debt service fund. Proceeds of general long-term debts and acquisitions under capital leases, if any, are reported as other financing sources.

The accompanying *Balance Sheet – Governmental Funds* generally reflects only assets that will not 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*.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

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.

C. Stewardship, Compliance, and Accountability

Budgetary Information

The Municipality's annually adopts the Budget Resolution for all operating funds of the Municipality except for certain restricted accounts (Unassigned Fund Balance up to the maximum of cash available). Budgetary control is legally maintained at the fund level. The budget is prepared using the modified accrual basis of accounting with encumbrance included as budgetary basis expenditures. Unexpended appropriations at the end of the fiscal year generally lapse. However, they may be re-appropriated for expenditures in the following fiscal year.

The Municipality's Budget Resolution provides transfer authority (1) to the Mayor and the Management and Budget Director, within and between departments and funds, as long as the total budget of the Municipality (net of interfund transfers) is not increased; (2) to the Management and Budget Director to implement grant budgets as the grant applications are accepted by the Municipality; and (3) to the Management and Budget Director to amend (re-appropriate) each new year's budget, to the extent of outstanding encumbrances, and/or unexpended project/grant appropriations at year end. Municipality's Legislature action is required for (1) use of the budgeted Legislature contingency, and (2) the approval of a supplemental appropriation(s). During the year, several supplemental appropriations were necessary.

For budgetary purposes, encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. The encumbrances (i.e., purchase orders, contracts) are considered expenditures when incurred. For GAAP reporting purposes, encumbrances outstanding at year-end are reported as assigned fund balances and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year. In addition, under the budgetary basis of accounting, revenues are recorded when cash is received.

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

The Municipality follows these procedures, in accordance with law, in order to establish the budgetary data reflected in the *Schedule of Revenues and Expenditures Budget and Actual – General Fund*:

Original Budget

1. Prior of May 15 of each fiscal year, the Mayor submits to the Municipal Legislature a proposed budget for the fiscal year commencing the following July 1 in addition of a budget message.
2. The budget document is available for public inspection prior to its approval by the Municipal Legislature.
3. The Office of the Commissioner of Municipal Affairs examines the budget to verify if it complied with the law's standards and sends it to the Mayor for any comments or recommendation before the limited date establishes by the Law.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

4. Prior to June 13, the annual budget is legally enacted through passage of the annual appropriation ordinance to be effective on July 1.

Act No. 154 of December 19, 2013 amended Sections 7.002 and 7.003 of Act. 81 of 1991, as amended, known as the "Autonomous Municipalities Act of the Commonwealth of Puerto Rico of 1991" for the purpose of establishing the budget of each municipality shall not exceed income certified in the external audit report or "single audit" for the previous fiscal year in revenue from Volume of Business Taxes, Sales and Usage Taxes (SUT), and Licenses and Permits; and that in these cases, the estimated revenue mechanism cannot be used to support the operating budget of a municipality. Also, the Act establish that municipalities reflecting a surplus in the current budget should be used to repay debt, and that by exception may establish an Emergency Fund, and enter up to thirty percent (30%) of the surplus to that fund. In addition, the municipalities that have not accumulated deficits may be used the surplus to increase the Emergency Fund.

Since the budgetary basis differs from accounting principles generally accepted in the United States of America (GAAP), actual amounts for the General Fund in the accompanying *Schedule of Revenues and Expenditures Budget and Actual – General Fund*, is presented on the budgetary basis to enhance comparability.

Final Budget

The final budgetary data presented in the *Schedule of Revenues and Expenditures Budget and Actual – General Fund* reflects the following changes to the original budget:

1. Certain annual appropriations are budgeted on a project basis. If such projects are not completed at the end of the fiscal year, unexpended appropriations, including encumbered funds, and unexpended grant appropriations, are carried forward to the following year. In certain circumstances, other regular annual appropriations may be carried forward after appropriate approval. Annually appropriated funds, not authorized to be carried forward, lapse at the end of the fiscal year. Appropriations carried forward from the prior year are included in the final budgetary data.
2. Appropriations may be adjusted during the year with the approval of the Mayor and the Municipal Legislature, e.g. supplemental appropriations. Additionally, the Mayor is authorized to make certain transfer of surplus within the departments. Such adjustments are reflected in the final budgetary data.

The Annual Appropriation Ordinance adopts the budget at the character level of expenditure within departments. As described above, the Mayor is authorized to make certain transfers of appropriations within departments. Accordingly, the legal level of budgetary control by the Municipal Legislature is the department Level.

The principal differences between the budgetary and GAAP bases are the following:

1. Encumbrances are recorded as expenditures under the budgetary basis and as restricted, committed and assigned fund balances under GAAP.
2. Interfund transactions of the General Fund are not included in the budgetary basis.
3. Certain accrued liabilities and other debts are not included in the budgetary basis.
4. Certain revenues susceptible to accrual, i.e., both measurable and available, are not included in the budgetary data.

continue



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

The Special Revenue Fund has not been included in the budgetary comparison because balances are not budgeted. Also, the budget prepared for the Federal Financial Awards Programs included in the Capital Projects and Special Revenue Funds is based on a program period which is not necessarily the same fiscal year. Accordingly, it's not practical to present an annual comparison of budget for such programs.

D. Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources, and Net Position / Fund Balance

1) Cash, Cash Equivalents, Cash with Fiscal Agent, and Investment

The Municipality's cash are composed of demand deposits and cash equivalents in commercial banks, demand deposits in the Governmental Development Bank of Puerto Rico (GDB), and cash equivalents in commercial banks. The Municipality has adopted the *Statement of Uniform Investment Guidelines for the Municipalities of the Commonwealth of Puerto Rico*, issued by the GDB as promulgated by Act No. 113 of August 3, 1995. The Finance Director of the Municipality, follows the guidelines, is responsible for investing the available resources in certificates of deposit and other short-term investments. Investments are made from the available combined funds of the Municipality and, accordingly, it is not practical to disclose certificates of deposit and other short-term investments individually by fund in the combined financial statements.

Interest earned on certificates of deposit and other short-term investments are recognized as revenue in the General Fund in accordance with the amount invested. Cash in the Special Revenue and Capital Project Funds are restricted; accordingly, resources available were not used for pool investments. Cash Equivalents are investments with an original maturity of 90 days or less.

Cash with Fiscal Agent in the Debt Service Fund represents special additional property tax collections retained and deposited in the Popular Bank of Puerto Rico and restricted for the payment of the Municipality's debt service, as established by law. Cash with Fiscal Agent in the Capital Projects and other governmental funds consists of undisbursed proceeds of certain bonds issued with the private banking, and deposited in different private banks in Puerto Rico, for the acquisition and construction of major capital improvements, and other purposes.

Restricted Cash in governmental funds consists of undisbursed line of credit which are maintained in a cash custodian account by the FAFAA (after GDB closed) with Popular Bank of Puerto Rico. The final use of this cash account should be determined by FAFAA.

2) Receivables and Payables

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

Advance between funds, as reported in the fund financial statements, if any, are offset by a fund balance restricted account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Receivables consist of all revenues earned but not collected at June 30, 2019. These account receivables are shown net of estimated allowances for uncollectible accounts, which are determined upon past collection experience, historical trends, and current economic conditions. Receivables represent mostly contributions from sales and usage taxes corresponding to June revenues collected during July and August 2019. Intergovernmental receivables in the other governmental funds represent amounts owed to the Municipality for reimbursement of expenditures incurred pursuant to federally funded grant and contributions and state appropriations, and the amount in the debt service fund represents the distribution of property tax collected which is restricted for the debt service.

Accounts payable represent amounts, including salaries and wages, owed for goods and services received prior to year-end.

3) Inventories

The Municipality used the purchase method to account for the purchases of office and printing supplies, gasoline, oil and other expendable supplies held for consumption. This method records items as expenditures, in the appropriate fund, when they are acquired and, accordingly, the inventory is not recorded in the basic financial statements.

4) Capital Assets

Capital assets acquired or constructed, whether owned by governmental activities are recorded and depreciated in the government-wide financial statements. No long-term capital assets or depreciation are shown in the governmental funds' financial statements.

Capital assets include public domain infrastructure (e.g., roads, bridges, sidewalks and other assets that are immovable and of value only to the Municipality). Capital assets with an individual cost of \$40,000 or more are recorded at cost or estimated historical cost if purchased or constructed. Capital assets under this amount are capitalized if the estimated life of assets is extended by more than 25%, the cost results in an increase in the capacity of the asset, the efficiency of the assets is increased by more than 10%, significantly changes the character of the assets or in the case of streets and roads-if the work done impacts the "base" structure. Donated capital assets are recorded at the acquisition value at the date of donation. Equipment and other with a cost of \$100 or more are recorded at cost or estimated historical cost.

The cost of normal maintenance and repairs that do not add to the value of the capital asset or extend capital assets lives are not capitalized. Major improvements are capitalized and depreciated over the remaining useful lives of the related capital assets. Finally, major outlays for capital assets and improvements are capitalized as the projects are constructed.

When capital assets that are to be used in governmental activities are purchased or constructed, the resources expended for those assets are reported as expenditures in the governmental funds within the capital outlays and included as additions in the roll-forward activity of the capital assets in the GWFS. However, in the *Statement of Activities*, the cost of those assets is allocated over the estimated useful lives and reported as a depreciation expense. As a result, fund balance decrease by the capital outlays balance – the amount of financial resources expended, whereas net position decreases by the amount of depreciation expense charged for the year.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

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 function/programs but reported as direct expense of the public works function.

CAPITAL ASSETS	YEARS
Facilities and Improvements	10-40
Buildings and Improvements	10-50
Infrastructure	10-50
Equipment and Vehicles	5-20
Work of Art (Inexhaustible)	N/A

The accounting policy for Works of Art is that they are capitalized at their historical cost or fair value at date of donation whether they are held as individual items or in a collection. Capitalized collections or individual items that is exhaustible, such as exhibits whose useful lives are diminished by display or educational or research applications, are depreciated over their estimated useful lives. Depreciation is not required for collections or individual items that are inexhaustible. At June 30, 2019, all Work of Art are considered inexhaustible.

As per GASB No. 42, impaired capital assets that will no longer be used by the Municipality, if any, are reported at the lower of carrying value or fair value. Impairment losses on capital assets with physical damages that will continue to be used by the Municipality are measured using the restoration cost approach. Impairments of capital assets that are subject to a change in the manner or duration of use, or assets affected by enactment or approval of laws or regulations or other changes in environmental factors or assets that are subject to technological changes or obsolescence, if any, are measured using the service units' approach.

The Municipality is prevented legally from entering obligations extending beyond one fiscal year, and most lease agreements entered by the Municipality contain fiscal funding clauses or cancellation clauses that make the continuation of the agreements subject to future appropriations. The Municipality's lease agreements do not include contingent rental payments no escalation clauses. Accordingly, lease payments are recorded in the GWFS as expense when incurred.

5) Housing Units Held for Sale

Capital assets that have been identified to be for sale are presented as part of the noncurrent assets.

6) Idle Units Held for Future Use

Capital assets that have been temporarily idled and held for future use are presented as part of the noncurrent assets.

7) Unearned Revenues

In the GWFS, unearned revenues arise only when the Municipality receives resources before it has a legal claim to them. In the GFFS, it arises when the following situations occur: potential revenue does not meet both the measurable and available criteria for revenue recognition in the current period.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

8) Deferred Outflows/Inflows of Resources

Deferred outflows of resources and deferred inflows of resources are defined in GASB Concept Statement No. 4, *Elements of Financial Statements*, as the acquisitions and consumptions of net assets by the government that is applicable to future periods. Pursuant to GASB Statement No. 63, “*Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*,” and GASB Statement No. 65, “*Items Previously Reported as Assets and Liabilities*,” the Municipality recognizes deferred outflows and inflows of resources.

In addition to assets, the *Statement of Net Position* will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expenses/expenditures) until then.

In addition to liabilities, the *Statement of Net Position* will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Based on this concept, the Municipality reports the following as deferred outflows of resources and deferred inflows of resources.

- The deferred outflows of resources or deferred inflows of resources resulting from the implementation of GASB No. 68, instead of GASB No. 73. Note 18 presents additional information about the composition of these items.
- Various types of revenues earned but not available within 60 days of fiscal year end.

Notes 13 and 18 provides details on deferred outflows of resources and deferred inflows of resources.

The Municipality has items, which arise only under accrual basis and modified accrual basis of accounting that qualify for reporting in deferred outflows/inflows of resources. Accordingly, the items, related to pension system are reported in the government-wide *Statement of Net Position*, and *unavailable revenue*, is reported only in the governmental funds *Balance Sheet*. The governmental funds report *unavailable revenues* from two sources: Liquidation from Municipal Revenue Collection Center (MRCC), and Federal Grants. This amount is deferred and recognized as an inflow of resources in the period that the amount become available.

9) Long-Term Obligations, Bonds Issuance Costs, and Premium or Discount

The liabilities reported in the GWFS include the general and special obligation bonds, long-term notes, other noncurrent liabilities (e.g., vacation, sick leave, claims and judgments, noncurrent liabilities to other governmental entities and third parties, and landfill post closure care costs). Bond premiums and discounts, if any, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount, if any. As per GASB Statement No. 65, Bond Issuance Costs incurred are reported as expense in the fiscal year incurred.

In the GFFS, governmental fund types recognize bond premiums and discounts, if any, as other financing sources and uses, respectively, and bond issuance costs as debt service expenditures. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures. Expenditures for principal and interest payments for governmental fund general and special obligations bonds are recognized in the Debt Service Fund when due.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

10) Compensated Absences

The Municipality accrues accumulated unpaid vacation and sick leave and associated employee-related costs when earned (or estimated to be earned) by the employee. After the approval of Act No. 8 of February 6, 2017, the Municipality's employees are granted 24 days of vacations and 12 days of sick leave annually. New employee accumulates retroactively after the first 3 months of employment. Vacations may be accumulated up to a maximum of sixty (60) days and sick leave up to a maximum of ninety (90) days. In the event of employee resignation, the employee is paid for accumulated vacation days up to the maximum allowed at the current rate. Separation from employment prior to use of all or part of the sick leave terminates all rights for compensation, except for employees with ten years of service who are entitled to sick leave pay up to the maximum allowed. The Municipality accrued a liability for compensated absences, which meet the following criteria: (1) the Municipality's obligation relating to employee's rights to receive compensation for future absences is attributable to employee's services already rendered; (2) the obligation relates to rights that vest or accumulate; (3) payment of the compensation is probable; and (4) the amount can be reasonably estimated.

In accordance with the above criteria and requirements in conformance with GASB Accounting Standards Codification Section C60, *Compensated Absences*, the Municipality has accrued a liability for compensated absences, which has been earned but not taken by Municipality's employees, including its share of social security and Medicare payments made on behalf of the employees in the accrual for vacation and sick leave pay using salary rates effective at June 30, 2019. All vacation pay is accrued when incurred in the GWFS. For the GWFS, the current portion is the amount estimated to be used in the following year. For the GFFS, all of the compensated absences are considered long-term and therefore, are not a fund liability and represents a reconciling item between the fund level and government-wide presentations. Also, GFFS record expenditures when employees are paid for leave or the balance due in accrued upon the employee's separation from employment.

11) Reduction of Working Day

Act No. 8 of February 6, 2017 establishes that any employee will have the option of requesting a voluntary reduction of their working day by means of a prior agreement with their employer, for a reduction period equivalent to one day of work.

12) Claims and Judgments

The estimated amount of the liability for claims and judgments, if any, which is due on demand, such as from adjudicated or settled claims, is recorded in the General Fund when the liability is incurred. The Noncurrent Liabilities includes an amount estimated as a contingent liability or liabilities with a fixed or expected due date, which will require future available financial resources for its payment.

13) Accounting for Pension Costs

In June 2012, the Governmental Accounting Standards Board (GASB) issued two new pronouncements related to the accounting and financial reporting requirements for pension related expenses and liabilities. GASB Statement No. 67, *Financial Reporting for Pension Plans an amendment of GASB Statement No. 25*, replaces the requirements of GASB Statement Nos. 25 and 50 for plans administered by pension systems through trusts or equivalent arrangements, and was implemented by the Employees' Retirement System of the Government of the Commonwealth of Puerto Rico (ERS) as of June 30, 2014.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

In addition, the GASB issued Statement No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, effective for the Municipality’s fiscal year beginning July 1, 2014. This Statement revises existing standards for measuring and reporting pension liabilities for pension plans provided by the Municipality to its employees. This Statement requires recognition of a liability equal to the Net Pension Liability, which is measured as the Total Pension Liability, less the amount of the pension plan’s Fiduciary Net Position. The Total Pension Liability is determined based upon discounting projected benefit payments based on the benefit terms and legal agreements existing at the pension plan’s fiscal year-end. Projected benefit payments are required to be discounted using a single rate that reflects the expected rate of return on investments, to the extent that plan assets are available to pay benefits, and a tax-exempt, high-quality municipal bond rate when plan assets are not available.

This Statement requires that most changes in the Net Pension Liability be included in pension expense in the period of the change. To the extent practical, the financial statements presented for the periods affected should be restated. Also, GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date*, an amendment to GASB No. 68, is required to be implemented simultaneously with the provisions of GASB No. 68.

The Municipality implemented both GASB Statements No. 68 and 71 for the fiscal year ending June 30, 2015 and the financial statements of the Municipality for the year ended June 30, 2014 were restated, with unaudited information available at the date of the Municipality’s reports. After that, on June 2016 the plan issued its audited financial statements for the year ended June 30, 2014, with a decrease in Fiduciary Net Position and an increase in Net Pension Liability.

After that, and based in the fiscal crisis of the Commonwealth, was enacted the Act No. 106 of 2017 to establish a New Define Contribution Plan and create the “pay-as-you-go” scheme for payment of pensioners of the ERS and other two retirement systems and liquidating all assets of the Fiduciary Fund of the ERS. Accordingly, after that, the GASB Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements No. 67 and 68* enter in substitution of GASB No. 68.

At the date of issuance of the basic financial statements of the Municipality, the ERS has not issued the corresponding audited financial statements as of June 30, 2018, nor the attachments required by GASB 73. However, the Municipality used the Actuarial Valuation Report issued by the actuaries for the fiscal years 2014, 2015, 2016 to update the values of the Net Pension Liability, Deferred Outflows / Inflows of Resources and Pension Expense items corresponding to the fiscal year 2019.

For the purpose of applying the requirements of GASB No. 73, as amended, the state government of the Commonwealth is considered to be the sponsor of the Employees’ Retirement System of the Government of the Commonwealth of Puerto Rico (ERS), a cost-sharing multi-employer Defined Benefit Pension Plan, and Defined Contribution Hybrid Program, in which the employees of the Municipality participate. The Municipality is considered a participant 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. Act No. 3 was enacted on April 4, 2013, amended the Act No. 447 for the purpose of establishing a major reform of the ERS effective on July 1, 2013. After that, and based in the fiscal crisis of the Commonwealth, was enacted the Act No. 106 of 2017 to establish a New Define Contribution Plan and create the “pay as you go” scheme for payment of pensioners of the ERS and other two retirement systems (see Note 19).



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

For purposes of measuring the Net Pension Liability and Deferred Outflows/Inflows of Resources related to pensions, and pension expense, information about the fiduciary net position of the ERS and additions to/deductions from the ERS’s fiduciary net position have been determined on the same basis as they are reported by Commonwealth of Puerto Rico. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Also, the Municipality participates in a contributory defined contribution plan named “Programa Head Start Municipio Autónomo de Caguas Money Purchase Plan”.

14) Other Postemployment Benefits

In accordance with GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, that replaces GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, changes similar to those implemented on GASB No. 67, *Financial Reporting for Pension Plans*, and No. 68, *Accounting and Financial Reporting for Pensions* should be made.

In addition to the pension benefits described in Note 13, the Commonwealth provides other retirement benefits, such as Christmas Bonus, and postemployment healthcare benefits (OPEB) for its retired employees in accordance with local law. Substantially, all of the employees may become eligible for these benefits if they reach normal retirement age while working for the Commonwealth. There are no member or employer contributions on behalf of the MIPC. This benefit is financed on a pay-as-you-go basis from the General Fund of the Commonwealth of Puerto Rico, not from Municipality funds.

15) Net Position/Fund Balance

A) Net Position

Net position represents the difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources in the GWFS. The GWFS utilize a net position presentation, which are categorized as follow:

- *Net Investment in Capital Assets* – These 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 improvements 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 improvements of capital assets has been reduced by any related unspent debt proceeds and any related unamortized debt issuance costs. In addition, the outstanding debt attributed to capital assets does not include accrued interest payable, non-capital accrued liabilities, inter-fund loans and other financial assets.

For Governmental Activities, Net Investment in Capital Assets is comprised of the following:

Capital Assets, Net of Accumulated Depreciation.....	\$384,389,592
Outstanding Balance on Related Debt.....	(129,110,733)
Unspent Capital Debt Proceeds.....	<u>2,697,551</u>
Net Investment in Capital Assets	<u>\$257,976,410</u>

continue



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

- *Restricted Net Position* – These results when constraints placed on net position use are either externally imposed by creditors, grantors, contributors, and the like, or imposed by law through constitutional provisions or enabling legislation.
- *Unrestricted Net Position* – These consists of net position which does not meet the definition of the two preceding categories. Unrestricted net position often is designated, to indicate that management does not consider them to be available for general operations. Unrestricted net position often has constraints on resources that are imposed by management, but can be removed or modified.

Net Position Flow Assumption

Sometimes the Municipality will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the Municipality’s policy to consider restricted – net position to have been depleted before unrestricted – net position is applied.

B) Fund Balance

Fund Balance Classification

Fund balances for the governmental funds are reported in classifications that comprise a hierarchy based on the extent to which the Municipality honors constraints on the specific purposes for which amounts in those funds can be spent.

- *Nonspendable* – amounts that cannot be spent because they are either (a) not spendable in form; or (b) legally or contractually required to be maintained intact.
- *Restricted* – amounts with constraints placed on their use that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulation of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.
- *Committed* – amounts that can only be used for specific purposes determined by formal action of the Municipality’s highest level of decision-making authority (Municipal Legislature) and that remain binding unless removed in the same manner. The underlying action that imposed the limitation needs to occur no later than the close of the reporting period.
- *Assigned* – amounts that are constrained by the Municipality’s intent to be used for specific purposes. The intent can be established at either the highest level of decision-making authority, or by a body or an official designated for that purpose.
- *Unassigned* – the residual classification for the Municipality’s General Fund that includes amounts not contained in the other classifications. In other funds, the unassigned classification is used only if expenditures incurred for specific purposes exceed the amounts restricted, committed, or assigned to those purposes.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Fund Balance Flow Assumption

Sometimes the Municipality will fund outlays for a particular purpose from both restricted and unrestricted resources (the total committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the GFFS a flow assumption must be made about the order in which the resources are considered to be applied. It is the Municipality's policy to consider restricted fund balance to have been depleted before using any of the components or unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Fund Balance Policy

The Municipality believes that sound financial management principles require that sufficient funds be retained by the Municipality to provide a stable financial base at all times. To retain this stable financial base, the Municipality needs to maintain a General Fund balance sufficient to fund all cash flows of the Municipality, to provide financial reserves for unanticipated expenditures and/or revenue shortfalls of an emergency nature, to provide funds for the disparity in timing between the collection of property taxes and other main income. The purpose of this policy is to specify the size and composition of the Municipality's financial reserves and to identify certain requirements for replenishing any fund balance reserves utilized.

Restrictions of Fund Balance

Restrictions of fund balance represent portions of fund balances that are legally segregated for a specific future use or are not appropriable for expenditure. The Municipality has implemented the provisions of the GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* as of July 1, 2010, in which it is required to classify and report amounts in the appropriate fund balance classification by applying their accounting policies that determine whether restricted, committed, assigned, and unassigned amounts are considered to have been spent.

Policy on Committing Funds

It is the policy of the Municipality that fund balance amounts will be reported as "Committed Fund Balance" only after formal action and approval by Municipal Legislature. The Municipal Legislature has the authority to separate funds for specific purposes. Any separate fund as Committed Fund Balance requires the adoption of a resolution by a simple majority of votes. The adoption of the resolution should be carried out before June 30 of the fiscal year to implement. If the actual amount of the commitment is not available through June 30, the resolution should establish the process or formula required to calculate the exact amount as soon as information is available in the following fiscal year.

For example, the Municipal Legislature may approve a resolution prior to year-end financial statements, if available, up to a specified dollar amount as Committed Fund Balance for capital projects. The exact dollar amount to be reported as Committed Fund Balance for capital projects may not be known at the time of approval due to the annual financial audit not yet being completed. This amount can be determined at a later date when known and appropriately reported within the year-end financial statements due to the Municipal Legislature approving this resolution before year-end.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

It is the policy of the Municipality that the Municipal Legislature may commit fund balance for any reason that is consistent with the definition of Committed Fund Balance. Examples of reasons to commit fund balance would be to display intentions to use portions of fund balance for future capital projects, stabilization funds, or to earmark special General Fund revenue streams unspent at year-end that are intended to be used for specific purposes.

After approval by the Municipal Legislature, the amount reported as Committed Fund Balance cannot be reversed without utilizing the same process required to commit the funds. Therefore, it is the policy of the Municipality that funds can only be removed from the Committed Fund Balance category after resolution and approval by the Municipal Legislature.

Policy on Assigning Funds

Funds that are *intended* to be used for a specific purpose but have not received the formal approval action at the Municipal Legislature level may be recorded as Assigned Fund Balance. Likewise, redeploying assigned resources to an alternative use does not require formal action by the Municipal Legislature. Having reviewed the requirements for assigning fund balance, therefore, is the policy of the Municipality that the Mayor shall have the authority to assign fund balance of the Municipality based on the intentions of the use of funds by the Municipal Legislature. In addition, the Mayor can delegate to the Finance Director or other employee of the Municipality, the authority to assign the funds.

Policy on Unassigned General Fund Balance

It is the goal of the Municipality to achieve and maintain an Unassigned General Fund Balance equal to 15% of budgeted expenditures. The Municipality considers a balance of less than 10% to be a cause for concern, barring unusual or deliberate circumstances, and a balance of more than 20% as excessive. An amount in excess of 20% is to be considered for reservation to accumulate funding for the purchase of machinery and equipment, for capital projects, and/or reduces tax levy requirements, and shall be determined in conjunction with the annual budget process. In the event that the Unassigned General Fund Balance is less than the policy anticipates, the Municipality shall plan to adjust budget resources in the subsequent fiscal years to restore the balance. Appropriation from Unassigned General Fund Balance shall require the approval of the Municipal Legislature and shall be only for specific disbursements, such as one-time expenditures and capital asset purchases, and not for ongoing expenditures unless a viable plan designated to sustain the expenditures is simultaneously adopted. The Municipality hasn't met its GASB 54 fund balance targets at June 30, 2019.

Prioritization of Fund Balance Use

In circumstances where the payment is for a purpose that quantities are available in multiple classifications of funds balance, the order in which resources will be used shall be as follows: Restricted Fund Balance, followed by Committed Fund Balance, Assigned Fund Balance, and last but not least, Unassigned Fund Balance.

E. Interfund Transactions

Interfund transactions are reflected as loans, reimbursements or transfers. Loans are reported as receivables and payables as appropriate and are subject to elimination upon consolidation. Reimbursements occur when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. The Municipality has the following types of transactions among funds:



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

Interfund Transfers – Legally required transfers that are reported when incurred as transfers-in by the recipient fund and as transfers-out by the disbursing fund, with receivables and payables presented as amounts due to and due from other funds. Advances between funds are also presented as amounts due to and due from other funds. However, these advances, transfers, and related amounts receivable and payable are considered internal balances and activities that have been eliminated in the government-wide financial statements.

Intra-Entity Transactions – There are two types of intra-entity transactions: First, the flow of resources between the primary government and its component units, and among the component units. This flow of resources and the related outstanding balances are reported as if they were external transactions. However, flow of resources between the primary government and blended component units are classified as interfund activity, as described above. Second, the intra-entity balances between the primary government and discretely presented component units that are tantamount to long-term debt financing. The primary government's liability is reported in the *Statement of Net Position*, the proceeds in the primary government's funds, and the asset in the discretely presented component units' *Statement of Net Position*. For the fiscal year, there are no intra-entity transactions.

F. Risk Financing

Under Act No. 63 of June 21, 2010, the Legislative Assembly of the Commonwealth of Puerto Rico, authorized the municipalities to procure and manage at their own discretion all insurance policies, including those related to health plans been provided to the municipal employees. The Municipality also obtains medical insurance coverage from one health insurance company for its employees. Different health coverage and premium options are negotiated each year by the Municipality. Premiums are paid on a monthly basis directly to the insurance company.

The Municipality carries commercial insurance to cover property and casualty, theft, tort claims and other losses with private insurance company. Also, principal officials of the Municipality are covered under various surety bonds. Cost of insurance to the Municipality for the year ended June 30, 2019 amounted to \$1,491,219, paid in full at the beginning of the fiscal year. The current insurance policies have not been cancelled or terminated.

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

The Municipality obtains workers compensation insurance through the State Insurance Fund Corporation (SIFC), a component unit of the Commonwealth of Puerto Rico. This insurance covers workers against injuries, disability or death because of work or employment-related accidents, or because of illness suffered as a consequence of their employment. Cost of insurance allocated to the Municipality and deducted from the gross property tax collections by the MRCC for the year ended June 30, 2019 amounted to \$1,992,026.

The Municipality obtains unemployment compensation, non-occupational disability, and drivers' insurance coverage for its employees through various insurance programs administered by the Department of Labor and Human Resources of the Commonwealth of Puerto Rico (DOLHR). These insurance programs cover workers against unemployment and provide supplementary insurance coverage for temporary disability, or death because work or employment-related accidents or non-occupational disability and drivers' insurance premiums are paid to DOLHR on a cost reimbursement basis.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

G. Use of Estimates

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

H. Reclassifications

Various reclassifications have been made in the accompanying basic financial statements which affect the comparability with the basic financial statements issued for previous fiscal years.

I. Subsequent Events

In preparing the financial statements, the Municipality's management consider events and transactions subsequent to June 30, 2019, that are determined to be significant and material that should be considered for financial statement purposes. Within this process, management consults with its legal counsel and performs monitoring procedures over significant receipts and disbursements and over the Municipal Legislature ordinances and resolutions, among other procedures.

J. Accounting Standards Issued But Not Yet Adopted

The Governmental Accounting Standards Board issued the following pronouncements that have effective dates after June 30, 2019:

GASB Statement No. 87, Leases. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities.

DEFINITION OF A LEASE

A lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset (the underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction. Examples of nonfinancial assets include buildings, land, vehicles, and equipment. Any contract that meets this definition should be accounted for under the leases guidance, unless specifically excluded in this Statement.

LEASE TERM

The lease term is defined as the period during which a lessee has a noncancelable right to use an underlying asset, plus the following periods, if applicable:

- a. Periods covered by a lessee's option to extend the lease if it is reasonably certain, based on all relevant factors, that the lessee will exercise that option

continue



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

- b. Periods covered by a lessee's option to terminate the lease if it is reasonably certain, based on all relevant factors, that the lessee will exercise that option
- c. Periods covered by a lessor's option to extend the lease if it is reasonably certain, based on all relevant factors, that the lessor will exercise that option
- d. Periods covered by a lessor's option to terminate the lease if it is reasonably certain, based on all relevant factors, that the lessor will not exercise that option. A fiscal funding or cancellation clause should affect the lease term only when it is reasonably certain that the clause will be exercised.

Lessees and lessors should reassess the lease term only if one or more of the following occur:

- a. The lessee or lessor elects to exercise an option even though it was previously determined that it was reasonably certain that the lessee or lessor would not exercise that option.
- b. The lessee or lessor elects not to exercise an option even though it was previously determined that it was reasonably certain that the lessee or lessor would exercise that option.
- c. An event specified in the lease contract that requires an extension or termination of the lease takes place.

SHORT-TERM LEASES

A short-term lease is defined as a lease that, at the commencement of the lease term, has a maximum possible term under the lease contract of 12 months (or less), including any options to extend, regardless of their probability of being exercised. Lessees and lessors should recognize short-term lease payments as outflows of resources or inflows of resources, respectively, based on the payment provisions of the lease contract.

LESSEE ACCOUNTING

A lessee should recognize a lease liability and a lease asset at the commencement of the lease term, unless the lease is a short-term lease, or it transfers ownership of the underlying asset. The lease liability should be measured at the present value of payments expected to be made during the lease term (less any lease incentives), the lease liability, plus any payments made to the lessor at or before the commencement of the lease term and certain direct costs.

A lessee should reduce the lease liability as payments are made and recognize an outflow of resources (for example, expense) for interest on the liability. The lessee should amortize the lease asset in a systematic and rational manner over the shorter of the lease term or the useful life of the underlying asset. The notes to financial statements should include a description of leasing arrangements, the amount of lease assets recognized, and a schedule of future lease payments to be made.

LESSOR ACCOUNTING

A lessor should recognize a lease receivable and a deferred inflow of resources at the commencement of the lease term, with certain exceptions for leases of assets held as investments, certain regulated leases, short-term leases, and leases that transfer ownership of the underlying asset. A lessor should not derecognize the asset underlying the lease. The lease receivable should be measured at the present value of lease payments expected to be received during the lease term. The deferred inflow of resources should be measured at the value of the lease receivable plus any payments received at or before the commencement of the lease term that relate to future periods.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

A lessor should recognize interest revenue on the lease receivable and an inflow of resources (for example, revenue) from the deferred inflows of resources in a systematic and rational manner over the term of the lease. The notes to financial statements should include a description of leasing arrangements and the total amount of inflows of resources recognized from leases.

CONTRACTS WITH MULTIPLE COMPONENTS AND CONTRACT COMBINATIONS

Generally, a government should account for the lease and nonlease components of a lease as separate contracts. If a lease involves multiple underlying assets, lessees and lessors in certain cases should account for each underlying asset as a separate lease contract. To allocate the contract price to different components, lessees and lessors should use contract prices for individual components as long as they do not appear to be unreasonable based on professional judgment or use professional judgment to determine their best estimate if there are no stated prices or if stated prices appear to be unreasonable.

If determining a best estimate is not practicable, multiple components in a lease contract should be accounted for as a single lease unit. Contracts that are entered into at or near the same time with the same counterparty and that meet certain criteria should be considered part of the same lease contract and should be evaluated in accordance with the guidance for contracts with multiple components.

LEASE MODIFICATIONS AND TERMINATIONS

An amendment to a lease contract should be considered a lease modification, unless the lessee's right to use the underlying asset decreases, in which case it would be a partial or full lease termination. A lease termination should be accounted for by reducing the carrying values of the lease liability and lease asset by a lessee, or the lease receivable and deferred inflows of resources by the lessor, with any difference being recognized as a gain or loss. A lease modification that does not qualify as a separate lease should be accounted for by remeasuring the lease liability and adjusting the related lease asset by a lessee and remeasuring the lease receivable and adjusting the related deferred inflows of resources by a lessor.

SUBLEASES AND LEASEBACK TRANSACTIONS

Subleases should be treated as transactions separate from the original lease. The original lessee that becomes the lessor in a sublease should account for the original lease and the sublease as separate transactions, as a lessee and lessor, respectively.

A transaction qualifies for sale-leaseback accounting only if it includes a sale. Otherwise, it is a borrowing. The sale and lease portions of a transaction should be accounted for as separate sale and lease transactions, except that any difference between the carrying value of the capital asset that was sold and the net proceeds from the sale should be reported as a deferred inflow of resources or a deferred outflow of resources and recognized over the term of the lease. A lease-leaseback transaction should be accounted for as a net transaction. The gross amounts of each portion of the transaction should be disclosed.

The requirements of this Statement are effective for reporting periods beginning after December 15, 2019 (FY 2020-2021). Earlier application is encouraged.

GASB Statement No. 89, *Accounting for Interest Cost Incurred Before the end of a Construction*. The objectives of this Statement are (1) to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (2) to simplify accounting for interest cost incurred before the end of a construction period.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

This Statement establishes accounting requirements for interest cost incurred before the end of a construction period. Such interest cost includes all interest that previously was accounted for in accordance with the requirements of paragraphs 5-22 of Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, which are superseded by this Statement. This Statement requires that interest cost incurred before the end of a construction period be recognized as an expense in the period in which the cost is incurred for financial statements prepared using the economic resources measurement focus. As a result, interest cost incurred before the end of a construction period will not be included in the historical cost of a capital asset reported in a business-type activity or enterprise fund.

This Statement also reiterates that in financial statements prepared using the current financial resources measurement focus, interest cost incurred before the end of a construction period should be recognized as an expenditure on a basis consistent with governmental fund accounting principles.

The requirements of this Statement are effective for reporting periods beginning after December 15, 2019 (*FY 2020-2021*). Earlier application is encouraged. The requirement of this Statement should be applied prospectively.

GASB Statement No. 90, *Majority Equity Interest—An Amendment of GASB Statements No. 14 and No. 61*. The primary objectives of this Statement are to improve the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and to improve the relevance of financial statement information for certain component units. It defines a majority equity interest and specifies that a majority equity interest in a legally separate organization should be reported as an investment if a government's holding of the equity interest meets the definition of an investment. A majority equity method, unless it is held by a special-purpose government engaged only in fiduciary activities, a fiduciary fund, or an endowment (including permanent and term endowments) or permanent fund. Those governments and funds should measure the majority equity interest at fair value.

For all other holdings of a majority equity interest in a legally separate organization, a government should report the legally separate organization as a component unit, and the government or fund that holds the equity interest should report an asset related to the majority equity interest using the equity method. This Statement establishes that ownership of a majority equity interest in a legally separate organization results in the government being financially accountable for the legally separate organization and, therefore, the government should report that organization as a component unit.

This Statement also requires that a component unit in which a government has a 100 percent equity interest account for its assets, deferred outflows of resources, liabilities, and deferred inflows or resources at acquisition value at the date the government acquired a 100 percent equity interest in the component unit. Transactions presented in flows statements of the component unit in that circumstance should include only transactions that occurred subsequent to the acquisition.

The requirements of this Statement are effective for reporting periods beginning after December 15, 2018 (*FY 2019-2020*). Earlier application is encouraged. The requirements should be applied retroactively, except for the provisions related to (1) reporting a majority equity interest in a component unit and (2) reporting a component unit if the government acquires a 100 percent equity interest. Those provisions should be applied on a prospective basis.

The Municipality has not yet determined the effect these statements will have on the Municipality's basic financial statements.



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

GASB Statement No. 91, *Conduit Debt Obligations*. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation establishing that a conduit debt obligation is not a liability of the issuer, establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations, and improving required note disclosures.

A conduit debt obligation is defined as a debt instrument having all of the following characteristics:

- There are at least three parties involved: (1) an issuer, (2) a third-party obligor, and (3) a debt holder or a debt trustee.
- The issuer and the third-party obligor are not within the same financial reporting entity.
- The debt obligation is not a parity bond of the issuer, nor is it cross-collateralized with other debt of the issuer.
- The third-party obligor or its agent, not the issuer, ultimately receives the proceeds from the debt issuance.
- The third-party obligor, not the issuer, is primarily obligated for the payment of all amounts associated with the debt obligation (debt service payments).

All conduit debt obligations involve the issuer making a limited commitment. Some issuers extend additional commitments or voluntary commitments to support debt service in the event the third party is, or will be, unable to do so.

An issuer should not recognize a conduit debt obligation as a liability. However, an issuer should recognize a liability associated with an additional commitment or a voluntary commitment to support debt service if certain recognition criteria are met. As long as a conduit debt obligation is outstanding, an issuer that has made an additional commitment should evaluate at least annually whether those criteria are met. An issuer that has made only a limited commitment should evaluate whether those criteria are met when an event occurs that causes the issuer to reevaluate its willingness or ability to support the obligor's debt service through a voluntarily commitment.

This Statement also addresses arrangements—often characterized as leases—that are associated with conduit debt obligations. In those arrangements, capital assets are constructed or acquired with the proceeds of a conduit debt obligation and used by third-party obligors in the course of their activities. Payments from third-party obligors are intended to cover and coincide with debt service payments. During those arrangement, issuers retain the titles to the capital assets. Those titles may or may not pass to the obligors at the end of the arrangements.

Issuers should not report those arrangements as leases, not should they recognize a liability for the related conduit debt obligations or a receivable for the payments related to those arrangements. In addition, the following provisions apply:

- If the title passes to the third-party obligor at the end of the arrangement, an issuer should not recognize a capital asset.
- If the title does not pass to the third-party obligor and third party has exclusive use of the entire capital asset during the arrangement, the issuer should not recognize a capital asset until the arrangement ends.

continue



2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continuation

- If the title does not pass to the third-party obligor and the third party has exclusive use of only portions of the capital asset during the arrangement, the issuer, at the inception of the arrangement, should recognize the entire capital asset and a deferred inflows of resources. The deferred inflow of resources should be reduced, and an inflow recognized, in a systematic and rational manner over the term of the arrangement.

This Statement requires issuers to disclose general information about their conduit debt obligations, organized by type of commitment, including the aggregate outstanding principal amount of the issuers' conduit debt obligations and a description of each type of commitment. Issuers that recognize liabilities related to supporting the debt service of conduit debt obligations also should disclose information about the amount recognized and how the liabilities changed during the reporting period.

The requirements of this Statement are effective for reporting periods beginning after December 15, 2020 (FY 2021-2022). Early application is encouraged.

3. ANNUAL REVENUES

A. Property Taxes

The Municipal Revenue Collection Center (MRCC) is responsible for the billing of real property taxes and collections of both, personal and real property taxes on behalf of all the municipalities of Puerto Rico. The property tax is levied each year on the assessed value of the property at the beginning of the calendar year. Assessed values of real property are determined based on the market value existing as of 1957 and of personal property at the current value at the date of assessment. Prior to the beginning of each fiscal year, the MRCC informs the Municipality of the estimated amount of property taxes expected to be collected for the ensuing fiscal year. Throughout the year, the MRCC advances funds to the Municipality based on the initial estimated collections. The MRCC is required by law to prepare a settlement statement on a fiscal year basis, whereby a comparison is made between the amounts advanced to the Municipality and amounts actually collected from taxpayers. This settlement has to be completed on a preliminary basis not later than three months after fiscal year-end, and a final settlement made not later than six months after year-end. If the MRCC remits to the Municipality property taxes advances, which are less than the tax actually collected, a receivable from the MRCC is recorded at June 30. However, if advances exceed the amount actually collected, a borrowing from MRCC is recorded at June 30. For fiscal year 2018-2019, this difference was recorded as an unavailable revenue for the amount of \$1,357,484.

Complete real property tax exoneration is granted by the Commonwealth of Puerto Rico on the first \$15,000 of the assessed valuation of owner-occupied residential units. However, the Municipality receives the full amount of the exonerated tax base as of January 1, 1992, except for residential units assessed at less than \$3,500 on which a complete exemption is granted. The personal property tax is self-assessed by the taxpayer on a return, which is to be filed and paid in full by May 15 of each year with the MRCC and based on current values as of December 31 of previous year. Complete exemption from personal property taxes up to an assessment of \$50,000 is granted to retailers with an annual volume of net sales under \$150,000. The Department of the Treasury, instead of the property taxpayer, becomes the source of payment in these cases.

The effective tax rate for the fiscal year ended June 30, 2019 is 10.33% for real property and 8.33% for personal property of which 1.03% of each class of property belongs to the Commonwealth of Puerto Rico. The Commonwealth of Puerto Rico also contributes an annual tax rate of 0.20% of the property tax collected. Taxpayers pay 10.33% for real property and 8.33% for personal property and the remaining 0.20% is paid by the Commonwealth's Secretary of the Treasury as a subsidy. As part of Act No. 83 of August 30, 1991, as amended, the exempt amount to be paid by the Puerto Rico Secretary of the Treasury to the Municipality was frozen as of January 1, 1992. The remaining percentage is distributed as follows:

continue



3. ANNUAL REVENUES – continuation

- 1) 6.00% and 4.00% for real and personal property, represent the Municipality's basic property tax rate which is appropriated for general purposes and accounted for in the general fund. The basic property tax rate is segregated by MRCC and accounted for an equalization fund together with a percentage of the net revenues of the Puerto Rico electronic lottery and a subsidy from the Commonwealth of Puerto Rico. The equalization fund assures that every municipality receive at least an amount equal to the tax collected to its base year or prior year.

The Commonwealth makes a contribution equivalent to .20% portion of the tax rates to compensate the municipality for a discount granted to the taxpayers. Accordingly, the tax rates imposed to the taxpayer for real and personal property are 10.33% and 8.33%, respectively.

- 2) 3.5% of each represents the ad valorem tax restricted for debt service and accounted for in the debt service fund.

Since the collection of property taxes, for all of the Municipalities in Puerto Rico, is a responsibility of the MRCC, it shall report to the Municipality the estimated and actual property taxes collections, as well as the operational expense allocation to each local government. During the fiscal year ended June 30, 2019 the allocated expenses to the Municipality amounted to \$1,319,448.

Section 5803(b) of Law No. 80 of the MRCC allows the municipalities to develop and carry on activities and programs to expedite the assessments of new constructions and existing properties not yet assessed. Accordingly, along with a covenant with the MRCC, the Municipality engaged into an initiative, in order to increase the tax base of assessed properties over which the tax rate is applied and to expedite the collection of the taxes receivable in arrears at the MRCC (there is no receivable recorded within the Municipality's general ledger). The Municipality contracted an external consulting firm to assist and expedite these services. Among the different types of services offered, the consulting firm has engaged into the process of assisting the MRCC to assess the new construction and other existing properties. These assessments will become then part of the MRCC tax roll register. This is the subsidiary of all properties assessed for tax purposes.

The new assessed properties are submitted for review and validation by the MRCC which proceeds to assign the assessed valuation and the tax to be imposed. Then, the MRCC determine those new properties that would be added in the tax roll, either because they are from new construction or because are previous existing properties, with betterments identified but not reported previously. This process is performed either through physical inspections, knowledge of existent activities within the Municipality, and comparing the sales volume taxes returns (in case of commercial properties) with the property taxes returns, among other strategies. The updated information is delivered to the MRCC in order to be included within the tax roll for subsequent taxes levies.

Also, the consulting firm provides support to the Municipality by attending the taxpayers' request for services and by providing follow up on the MRCC taxes receivables in arrears. The purpose of these combined efforts is to improve the efficiency of the tax service and collections.

Ordinance Number 12A-48 was approved for the purpose of reviewing the tax incentives to the jurisdiction of the Municipality and the special development zone and other traditional urban center and authorizes the creation of a new code of socio-economic development incentives.



3. ANNUAL REVENUES – continuation

Personal Property

Incentive Municipal on Personal Property Taxes – New Business

- A 75% exemption on municipal taxes on real property for a period of five years.
- The downtown and development designated areas, would enjoy 100% exemption on municipal taxes on personal property for a period of two years, followed by a 90% exemption on municipal taxes on personal property for a period eight year.

Incentive Municipal on Personal Property Taxes – Established Business

- The exemption only applies to the personal property tax in excess of the average payment for such costs during the three years prior to the date of the application, which is referred to as personal property tax base period.
- The downtown and development designated areas, the personal property tax base period will be adjusted, reducing that amount by twenty percent (20%) annually until it is reduced to zero for the fifth taxable year.

Real Property

Incentive Municipal on Real Property Taxes – New Business

- A 75% exemption on municipal taxes on real property for a period of five years and 40% exemption on municipal taxes on real property for a period of 10 years.
- The downtown and development designated areas, would enjoy a 90% exemption on real property for a period of 10 years.

Incentive Municipal on Real Property Taxes – Established Business

- The exemption only applies to the real property tax in the excess of the average payment for such costs during the three years prior to the date of the application, which is referred to as real property tax base period.
- The downtown and development designated areas, the real property tax base period will be adjusted, reducing that amount by twenty percent (20%) annually until it is reduced to zero for the fifth taxable year.

B. Volume of Business Taxes

The Municipality imposes a volume of business tax pursuant to Act No. 113 of July 10, 1974, on all business entities, which operate within the Municipality, which are not exempt from the tax pursuant to the Industrial Incentives Act. The tax is based on gross revenues, as defined by law, computed at the rate of 1.50% for financial institutions and savings and loans associations, and .50% for all other business entities.



3. ANNUAL REVENUES – continuation

The minimum gross revenue to file the Volume of Business Tax Declaration is \$5,000 and the minimum tax payable is \$25. The date to file the Volume of Business Tax Declaration is April 15 each year. Entities with sales volume of \$3.0 million or more must include audited financial statements together with the tax return. The Municipality grants a five percent discount, if the taxes are paid on or before April 15. Otherwise, taxes are payable in two equal semi-annual installments on July 1 and January 1 following the date of levy. If they are paid with declaration on or before the due date, the taxpayer is granted a 5% discount. The volume of business tax receivable represents filed tax returns that were uncollected as of June 30, 2019.

The following incentives related to Volume of Business Taxes were implemented with Ordinance 12A-48:

Volume of Business Tax Incentive – New Business

- A 75% exemption for a period of five years or a 40% exemption for a period of 10 years.

Volume of Business Tax Incentive – Business Established

- The exemption only applies to the business volume in excess of the average volume during the three years prior to the date of the application, which is referred to as base volume business. The volume of business tax attributable to the base volume business will be subject to regular tax rates.
- In the down town and development designated areas, the volume of business tax basis will be adjusted, reducing such amount by (20%) annually until it is reduced to zero for the fifth taxable year.

Collections of volume of business tax revenues received mainly in April 15, are accounted as unearned revenues, since such collections have a time requirement and should be used starting July 1st of next fiscal year. In the next fiscal year, the unearned revenue is recognized as revenue, net of any credit or refunds payable to taxpayers.

C. Sales and Usage Taxes

Municipality imposes a Sales and Usage Taxes of 1.0% collected and belong to the Municipality on the sales price of a taxable item or on the purchase price of all usage, storage or consumption of a taxable item (changes as per Act Number 18 of 2014). All merchants required to collect the Sales and Usage Taxes, are required to file a monthly Sales and Usage Taxes Return Form, no later than the 20th of the following month from the month being reported. The Act also provides for restrictions on the use of the resources to be invested in solid waste and recycling programs, capital improvements and health and public safety costs.

The amount collected by the Puerto Rico Secretary of Treasury will be deposited in accounts or special funds in GDB, subject to restrictions imposed and distributed as follows:

- a. 0.2% will be deposited in a “Municipal Development Fund” to finance costs as restricted by the Act;
- b. 0.2% will be deposited in a “Municipal Redemption Fund” to finance loans to municipalities subject to restrictions imposed by the Act; and
- c. 0.1% 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.

Sales and Usage Taxes receivable represents filed sales tax returns that were collected subsequent to June 30, 2019 but pertaining to the current year period.



3. ANNUAL REVENUES – continuation

As per Act Number 18 of 2014 was created the "Law of Municipal Administration Fund (MAF)" to establish a special fund called the Municipal Administration, authorize municipalities to pledge the funds deposited in the Local Government Fund to which they are to secure the repayment of any loan, bond, note or other evidence of indebtedness, which are the source of repayment funds deposited in the Special Fund and to meet any expenditure budget of the Municipality and the Municipality any activity or project, authorize the Government Development Bank for Puerto Rico to make disbursements for purposes set out in this Act.

This measure is intended, first, to strengthen the financial capacity of the Corporation Tax Fund of Puerto Rico (COFINA, by Spanish acronyms), established under Law No. 91-2006, as amended, known as the "Law Fund of Sales and Usage Taxes", adjusting the sales and usage taxes (SUT) by increasing the state portion to 6.0% while the municipal SUT is reduced to 1.0%, effective February 1, 2014.

Through this legislation, a mechanism under which the SUT collections entitled to receive the Commonwealth of Puerto Rico each fiscal year, after complying with the deposits in the Tax Fund requires by Act No. 91-2006, shall be deposited in a special fund created for the benefit of, and assigned to the municipalities. This special fund is called the "Local Government Fund" ("LGF"), which will be guarded by the Government Development Bank of Puerto Rico.

Also, on February 1, 2014 was enacted the Act No. 19 that creates the Municipal Financing Corporation (COFIM, by Spanish acronyms). The COFIM, attached to the Government Development Bank (GDB), with the power to issue bonds or use other mechanisms to pay or refinance debt incurred by municipalities, the payment of principal and interest is backed by the municipal SUT.

In addition, create the Redemption Fund of COFIM, to which the resources of the existing Municipal Fund Redemption will be transferred effective February 1, 2014, and facilitated the distribution of funds from the Municipal Redemption Fund, the Municipal Development Fund and the Municipal Improvement Fund. Provides that the first proceeds of the municipal SUT of 1% shall be collected by the Puerto Rico Treasury Department and deposited directly into the Redemption Fund of COFIM. Provides that bonds and notes issued by the COFIM be payable and secured by the pledge of a fixed amount, or municipal SUT corresponding to a fixed rate of 0.3% has been collected during the previous fiscal year, whichever is greater.

D. Construction Excise Taxes

Ordinance 11-A-54 provides for a procedure for the administration and collection of construction excise tax, within the Municipality jurisdiction.

The construction excise tax generally is a self-assessed tax imposed over the cost of the project. The tax is paid by the taxpayer before the beginning of the construction project, if a permit is required to begin the construction, the taxpayer should file the tax return 30 days after the submission of the permit; otherwise, the file should be made at least 15 days before the construction activity. The activities covered by this tax and the exemption granted are as follows:

- 1) All construction will pay 6% of construction excise taxes.
- 2) Construction projects of detached properties (not part of a housing development), with a cost of \$90,000 or less will pay 3% of construction excise taxes. If the cost exceeds the \$90,000, the applicable rate will be 6% over the \$90,000 cost.
- 3) All construction projects carried out whose owner is a bona-fide farmer, certified by the Department of Agriculture, have full exemption to the construction excise taxes.

continue



3. ANNUAL REVENUES – continuation

- 4) Major repairs and improvements of detached properties occupied by their owner, for which cost don't exceed \$15,000, have full exemption to the construction excise taxes. If related costs exceed \$15,000, the excess over this amount will be subject to a 3% of construction excise tax.
- 5) All improvements made to commercial or private property in the down town, as well of major improvements to buildings, parks, prayer centers or studies of philosophic or human nature have full exemption to the construction excise taxes.
- 6) All construction projects carried out by not-for-profit organization or educational institutions have full exemption to the construction excise taxes.
- 7) Ordinance No, 12 of Fiscal Year 2017-2018 granted a reduction of 25% of construction excise taxes for commercial construction and 50% for residential constructions until June 30, 2018. Ordinance No. 31 of Fiscal Year 2017-2018 extended the period until September 30, 2018.

4. CASH AND INVESTMENTS

Cash in Banks

Puerto Rico laws authorize governmental entities to invest in direct obligations or obligations guaranteed by the federal government or the Commonwealth of Puerto Rico (*Statement of Uniform Investment Guidelines for the Municipalities of the Commonwealth of Puerto Rico*, issued by the GDB as promulgated by Act No. 113 of August 3, 1995). The Municipality is also allowed to invest in bank acceptances, other bank obligations and certificates of deposit in financial institutions authorized to do business under the federal and Commonwealth laws. During the year, the Municipality invested its funds in interest bearing bank accounts, and certificates of deposit.

Under the laws and regulations of the Government, public funds deposited by the Municipality in commercial banks must be fully collateralized for the amounts deposited in excess of the Federal Deposit Insurance Corporation (FDIC) coverage. All securities pledged as collateral are held by agents designated by the Government's Secretary of the Treasury, but not in the Municipality's name.

Municipality follows the practice of pooling cash. At June 30, 2019, the pool cash account in commercial banks had a balance of \$25.8 million of which \$14 million in the General Fund, \$26,868 in Health and Human Services Fund, \$7.9 million in the Capital Projects Fund, and \$3.9 million in Other Non-Major Funds. Of \$14 million in the General Fund, the Municipality invested \$13 million in Wells Fargo Advisors in short-term fixed income securities covered by the Securities Investor Protection Corporation (SIPC). At June 30, 2019 the amount of the investment is \$13,021,747. Any deficiency in the pooled cash account is assumed by the general fund and covered through future budgetary appropriation.

Cash in with Fiscal Agent

Cash with Fiscal Agent in Popular Bank of Puerto Rico in the debt service fund consists principally of property tax collections and sales and usage taxes amounting to \$19.4 million that are restricted for the payment of the Municipality's debt service, as required by law.

Cash with Fiscal Agent in the Capital Projects Fund of \$1.8 million, consists of unspent proceed of bonds in private banks in Puerto Rico, and deposited on those banks, and are restricted to improvement of recreational facilities. The amount in Other Governmental Funds consist principally of unspent proceeds of bonds deposited in the private banking, that are restricted for different purposes.

continue



4. CASH AND INVESTMENTS – continuation

Restricted Cash in GDB

The Restricted Cash of \$1.1 million in Capital Projects Fund consist principally of unspent proceeds of bonds that was restricted for the acquisition, construction or improvement of major capital assets will be used to amortize the original loans. As per GDB Restructuring Support Agreement (RSA), which became effective on April 6, 2018, as amended, the Municipality will be authorized to apply the full amount of deposits of loan held at GDB against the balance of any loan owed by the Municipality to GDB. After the implementation of the amendment to the RSA, on November 29, 2018, FAFAA issued a certification pursuant to Article 501 of Act No. 109-2017, as amended, applying the full cash amount held on GDB, in the amount of \$13,957,839, against the loan balances owed by the Municipality to GDB. The balance of \$1.1 million in cash account are pending to be applied or returned to the Municipality in accordance with the RSA. The RSA amendment is available on the Electronic Municipal Market Access website.

Municipality follows the provisions of GASB Accounting Standards Codification Section C20, *Cash Deposit with Financial Institutions*, related with cash deposit and interest-earning investment contract with financial institutions. Accordingly, the following is essential information about credit risk, interest rate risk, custodial credit risk, and foreign exchange exposure of deposits and investments of the Municipality at June 30, 2019:

Concentration of Credit Risk

This is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. At June 30, 2019, the Municipality has invested only in cash equivalents of \$36.7 million consisting of interest-bearing account in commercial banks, which are insured by the FDIC, generally up to a maximum of \$250,000. As previously mentioned, public funds deposited by the Municipality in commercial banks must be fully collateralized for the amounts deposited in excess of the FDIC coverage. No investments in debt of equity securities were made during the Fiscal Year ended June 30, 2019. Therefore, the Municipality's management has concluded that the credit risk related to any possible loss related to defaults by commercial banks on the Municipality's deposits is considered low at June 30, 2019.

Custodial Credit Risk

This is the risk that, in the event of the failure of a depository financial institution, the Municipality will not be able to recover its cash and investments or will not be able to recover collateral securities that are in the possession of an outside party. Pursuant to the Investment Guidelines for the Commonwealth adopted by GDB, the Municipality may invest in obligations of the Commonwealth, obligations of the United States, certificates of deposit, commercial paper, banker's acceptance, or in pools of obligations of the municipalities of Puerto Rico, which are managed by GDB. At June 30, 2019, the Municipality has balances deposited in commercial banks amounting to \$36.7 million which are insured by the FDIC up to the established limit and the excess are fully collateralized as explained above. Deposits in GDB, amounting to \$1.1 million are uninsured and uncollateralized. It is management's policy to only maintain deposits in banks affiliated to FDIC to minimize the custodial credit risk.

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 or equity investments in its investments portfolio at June 30, 2019, (2) limiting the weighted average maturity of its investments in certificates of deposit to periods of four months or less, and (3) keeping most of its banks deposits and certificates of deposit in interest bearing accounts generating interest at prevailing market rates. Therefore, at June 30, 2019, the interest risk associated with the Municipality's cash and cash equivalent is considered low.



4. CASH AND INVESTMENTS – continuation

Foreign Exchange Risk

This is the risk that changes in exchange rates will adversely affect the value of an investment or a deposit. According to the aforementioned investment guidelines, adopted by the Municipality, the Municipality is prevented from investing in foreign securities or any other types of investments for which foreign exchange risk exposure may be significant. Accordingly, management has concluded that the foreign exchange risk related to the Municipality's deposits is considered low at June 30, 2019.

5. UNEARNED REVENUES

Government-wide *Statement of Net Position* and Governmental Funds Balance Sheet reports *unearned* revenues for resources received before it has a legal claim to them; in connection with cash collected for revenues that are not considered to be available to liquidate liabilities of the current period, which corresponded to Volume of Business Taxes in the amount of \$17,269,359.

6. LOANS AND OTHER RECEIVABLES

Loans receivable recorded in non-major governmental funds consists various loans issued to qualified participants for home buying and commercial loans provided with federal funds. This amount is presented net of estimated allowances for uncollectible amounts of \$510,881, which were determined based upon past collection experience.

Other receivables in the amount of \$285,217 are related to rent and other charges received after year end.

On October 20, 2014, the Municipality signed a Note Receivable for \$1,050,000 in exchange for a land, in which an apartment building was constructed. The note is no-interest bearing, and the full payment will be received on October 24, 2054. In order to recognize the amortization of the present value of the note, the percentage used was a 6%, based on bonds issued by the Municipality in 2014.

7. INTERGOVERNMENTAL REVENUES, FEDERAL AND STATE GRANTS AND SUBSIDIES

Intergovernmental revenues consist primarily of funds received from the Commonwealth, "in lieu of tax" payments from the Quasi-Public Corporation, Puerto Rico Electric Power Authority (PREPA), and financial assistance received from state governments. Intergovernmental revenues are accounted for through the General Fund because they are not restricted for specific purpose.

Grants and subsidies received from the Commonwealth and federal agencies include, among others, a general subsidy for urban development and capital improvements. Intergovernmental revenues are accounted for through the General Fund except for those directly related to urban development and capital improvements, which are accounted for through the Special Revenues and the Capital Project Funds. Federal Financial Awards are recorded in the General Fund, Special Revenue Fund, Capital Projects Funds, and Health and Human Services Fund.

8. INTER-FUND TRANSACTIONS

A. Due from/to Other Funds

Inter-fund receivables and payables generally reflect temporary loans, billings for services provided and recovery of expenditures. Following is a summary of inter-fund assets and liabilities as of June 30, 2019:

continue



8. INTER-FUND TRANSACTIONS – continuation

Receivable Fund	Payable Fund	Amount
General Fund	Capital Projects	\$ 862,209
	Health and Human Services Fund	1,741,647
	Other Governmental Funds	1,452,563
		<u>\$ 4,056,419</u>

The purpose of each inter-fund balances is the following:

Payables to the general fund:

Capital Projects Fund – includes expenditures mainly of the Capital Loans Funds, Community Development Block grants and other related projects sponsored by the Municipality, which are initially disbursed through the General Fund.

Health and Human Services Funds – includes expenditures mainly for payroll which were initially disbursed through the General Fund.

Other Governmental Funds – includes expenditures mainly to finance certain public safety, housing and health and welfare projects that involve both the use of federal and municipal funds and which were initially disbursed through the General Fund.

B. Transfers In/Out

Inter-fund transfers in/out reflect the transfers of resources from one fund to another without the attempt of recovering such revenues. Following is a summary of inter-fund transfers for the year ended June 30, 2019:

Transferred In	Transferred Out	Amount	Purposes
Debt Service Fund	General Fund	\$ 12,660,572	Payment of Interest and Principal of Debt
Debt Service Fund	Capital Projects Fund	1,082,221	Payment of Interest and Principal of Debt
Debt Service Fund	Nonmajor Funds	8,162	Payment of Interest and Principal of Debt
General Fund	Nonmajor Funds	100,000	Transfer of Equity
General Fund	Capital Projects Fund	1,950,371	Transfer of Equity
Capital Projects Fund	General Fund	5,262,188	Transfer of Funds - FEMA Projects
Capital Projects Fund	General Fund	1,385,657	Transfer of Equity
Nonmajor Funds	General Fund	309,616	Transfer of Equity
Capital Projects Fund	Debt Service Fund	1,927,395	Transfer of Equity
		<u>\$ 24,686,182</u>	

9. DUE FROM GOVERNMENTAL UNITS

The due from governmental units for the fiscal year ended June 30, 2019, for the General Fund, corresponds \$1,357,484 from the MRCC, related to the final liquidation, and \$64,213 from the Puerto Rico Department of Education related to maintenance of schools.



10. FEDERAL GRANTS RECEIVABLE

The due from federal grants of the Capital Projects Fund for the fiscal year ended June 30, 2019 corresponds to the Community Development Block Grant/Entitlements Grant (CDBG), from US Department of Housing and Urban Development (HUD). The amount reported within the Health and Human Services Fund corresponds to the Head Start Program from the US Department of Health and Human Services for the amount of \$12,457,431. The amount reported on Other Governmental Funds correspond mainly to the Home Investment Partnership Program for the amount of \$1,931,890 and to the Continuum of Care Program for the amount of \$65,467, both from the US Department of Housing and Urban Development, and \$87,641 in other Federal programs. The amount reported in General Fund, corresponds to the Disaster Grants – Public Assistance (FEMA) \$65,612, and the amount of \$69,630 for the Federal Transit Formula Grants Program.

11. CAPITAL ASSETS

A summary of the activity of capital assets for governmental activities group follows:

DESCRIPTION	BALANCE JULY 1, 2018	RECLASSI- FICATION	INCREASE	DECREASE	BALANCE JUNE 30, 2019
Non-Depreciable Capital Assets:					
Land and Improvements	\$ 93,309,320	\$ -	\$ -	\$ (46,338)	\$ 93,262,982
Construction in Progress	129,190	(73,113)	1,867,169	-	1,923,246
Works of Art	<u>2,522,614</u>	<u>-</u>	<u>122,575</u>	<u>-</u>	<u>2,645,189</u>
Total Non-Depreciable Capital Assets	<u>95,961,124</u>	<u>(73,113)</u>	<u>1,989,744</u>	<u>(46,338)</u>	<u>97,831,417</u>
Depreciable Capital Assets:					
Facilities and Improvements	123,924,312	-	962,904	(313,619)	124,573,597
Buildings and Improvements	118,738,396	-	502,722	(267,839)	118,973,279
Infrastructure	415,754,778	73,113	-	-	415,827,891
Equipment and Vehicles	<u>31,977,412</u>	<u>-</u>	<u>2,555,856</u>	<u>(71,032)</u>	<u>34,462,236</u>
Total Depreciable Capital Assets	<u>690,394,898</u>	<u>73,113</u>	<u>4,021,482</u>	<u>(652,490)</u>	<u>693,837,003</u>
Less Accumulated Depreciation:					
Facilities and Improvements	(69,814,301)	-	(3,043,026)	106,996	(72,750,331)
Buildings and Improvements	(58,887,893)	-	(2,307,895)	98,602	(61,097,186)
Infrastructure	(240,065,831)	-	(7,088,052)	-	(247,153,883)
Equipment and Vehicles	<u>(24,210,827)</u>	<u>-</u>	<u>(2,125,251)</u>	<u>58,650</u>	<u>(26,277,428)</u>
Total Accumulated Depreciation	<u>(392,978,852)</u>	<u>-</u>	<u>(14,564,224)</u>	<u>264,248</u>	<u>(407,278,828)</u>
Total Depreciable Capital Assets (Net)	<u>297,416,046</u>	<u>73,113</u>	<u>(10,542,742)</u>	<u>(388,242)</u>	<u>286,558,175</u>
CAPITAL ASSETS, NET	<u>\$ 393,377,170</u>	<u>\$ -</u>	<u>\$ (8,552,998)</u>	<u>\$ (434,580)</u>	<u>\$ 384,389,592</u>

The Municipality's policy is to transfer construction in progress properly concluded to other classification of capital assets if such capital project is being used. Also, the detail of these amounts is presented in the previous table including the activity of the capital assets.



11. CAPITAL ASSETS – continuation

Depreciation expense for capital assets of governmental activities was charged to the following functions as follows:

	AMOUNT
Governmental Activities:	
General Government	\$ 605,834
Public Safety	245,131
Public Works (Mainly Streets)	7,498,607
Culture and Recreation	3,694,898
Health and Welfare	150,093
Economic Development	829,414
Housing	133,430
Sanitation and Environmental	155,609
Education	<u>1,251,208</u>
Total Depreciation Expenses	<u>\$ 14,564,224</u>

12. OTHER NON-CURRENT ASSETS

The Municipality reported during this year property held for future sale as other non-current assets. This property was acquired with the intent of selling them to low income families, constituents of the Municipality. As required by GASB No. 72, the Municipality assessed the fair value of this units at June 30, 2019 for \$154,848.

The Municipality has the following recurring fair value measurements as of June 30, 2019:

Units Held for Sale by Fair Value Level	Total	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Units Held for Sale	<u>\$ 154,848</u>	<u>\$ 154,848</u>	<u>\$ -</u>	<u>\$ -</u>

Also, idle units held for future use were reported during this period given that property included in the schedules of construction in process remained with the same balance since prior year and no additions from construction were reported. Funds assigned to those projects were distributed for other purposes. In addition, a reclassification was made from buildings to idle units as a result of the damages to those properties last year.

13. DEFERRED OUTFLOWS OF RESOURCES

Pursuant to GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, the Municipality recognized deferred outflows of resources in the government-wide and fund statements. These items are a consumption of net position by the Municipality that is applicable to a future reporting period. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities.



13. DEFERRED OUTFLOWS OF RESOURCES – continuation

At the end of the current fiscal year, the Municipality has an item that are reportable on the Government-wide *Statement of Net Position* that are relates to outflows from changes in the Net Pension Liability (Note 19), as follows:

Statement of Net Position:

Deferred Outflows of Resources	
Contributions to ERS	<u>\$ 43,151,663</u>

14. DUE TO GOVERNMENTAL UNITS

The due to governmental units for the fiscal year ended June 30, 2019 for the General Fund, corresponds \$3,504,590 to Employee Retirement System Administration for the “pay go” system, \$612,132 to the Puerto Rico Water and Sewer Authority services, and \$195,448 to ELA Employees Association.

15. DEBT MARGIN

On March 9, 2009, the Commonwealth of Puerto Rico approves Act Number 7 that provides for revision of the valuation of property subject to taxation and imposes special property taxes for the Commonwealth. The legal debt margin of the Municipality is equal to 10% of the total property assessment located within the Municipality’s jurisdiction.

As discussed on Notes 26 and 27 to the basic financial statements on pages 117 through 133, Puerto Rico fiscal crisis affects all instrumentalities, including municipalities. Actually, the Commonwealth does not have access to the finance market. The municipalities obtained loans through the Governmental Development Bank (GDB), or Commercial Banks with the endorsement of GDB. GDB do not have access to market and close the issuance of new loan to municipalities. Therefore, the determination of the Municipality's debt margin depends on the access to the markets of GDB and Commercial Banking loans to which it does not have access.

16. LONG-TERM DEBTS

A. General Obligations Bonds and Special Obligations Bonds

The principal long-term obligations of the Municipality are general obligation bonds and special obligation bonds issued to finance the construction and improvements of public facilities and purchase of machinery and equipment. The Municipality’s obligations long-term debt retirements are appropriated and paid from resources accumulated in the Debt Service Fund (See Note 17).

The following is a summary of general and special obligation bonds of the Municipality as of June 30, 2019:

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16. LONG-TERM DEBTS – continuation

Type of Obligation and Purpose	Issue Date	Original Borrowing	Maturity Date	Interest Rate	Balance Amount
General Obligation Bonds:					
Property Taxes Income:					
General Construction	2000	10,350,000	2026	2.70% to 7.81%	\$ 4,855,000
General Construction	2000	3,150,000	2024	2.70% to 7.81%	1,365,000
General Construction	2002	9,845,000	2026	2.70% to 5.60%	5,165,000
General Construction	2002	125,000	2026	2.70% to 5.60%	40,000
General Construction	2002	1,360,000	2026	2.70% to 5.60%	680,000
General Construction	2004	9,900,000	2028	1.61% to 5.31%	5,425,000
General Construction	2004	1,575,000	2028	2.36% to 5.31%	905,000
General Construction	2005	460,000	2029	2.53% to 5.31%	275,000
General Construction	2005	370,000	2029	2.53% to 5.31%	220,000
General Construction	2005	1,610,000	2024	4.17% to 5.28%	660,000
General Construction	2005	1,640,000	2030	4.50%	944,000
General Construction	2005	500,000	2030	4.75%	292,000
General Construction	2006	11,020,000	2025	0.32% to 5.00%	5,235,000
General Construction	2006	11,015,000	2025	0.52% to 5.00%	5,245,000
General Construction	2007	8,060,000	2031	0.45% to 6.32%	5,375,000
General Construction	2006	2,695,650	2031	4.75%	1,677,650
General Construction	2007	7,575,000	2026	0.36% to 5.54%	4,020,000
General Construction	2008	624,000	2030	4.50%	380,000
Operational Purpose	2010	9,740,000	2034	4.75% to 7.50%	902,782
General Construction	2012	18,285,000	2036	3.47% to 7.50%	13,165,200
General Construction	2012	815,000	2021	3.36% to 7.50%	244,500
General Construction	2012	245,000	2036	0.37% to 7.50%	176,400
General Construction	2012	279,900	2037	4.50%	235,000
General Construction	2013	3,120,000	2030	4.25%	2,204,000
Refinancing	2014	7,766,712	2035	4.05% to 7.50%	215,000
General Construction	2014	12,975,204	2036	3.95% to 7.50%	325,000
Operational Purpose	2014	9,450,000	2038	6.00% to 7.50%	8,590,000
Refinancing	2017	26,855,000	2031	7.50%	25,350,000
Purchase of Equipment	2019	900,660	2025	2.75%	783,000
Refinancing	2019	4,810,000	2028	7.25% to 8.00%	4,810,000
Refinancing	2019	8,555,000	2036	7.25% to 8.00%	8,555,000
Refinancing	2019	18,200,000	2035	8.00%	18,200,000
Subtotal					<u>126,514,532</u>



16. LONG-TERM DEBTS – continuation

Type of Obligation and Purpose	Issue Date	Original Borrowing	Maturity Date	Interest Rate	Balance Amount
Special Obligations Bonds:					
General Revenues:					
General Construction	2002	\$ 2,065,000	2027	3.66% to 6.41%	\$ 1,035,000
General Construction	2002	5,185,000	2027	3.66% to 6.41%	2,585,000
General Construction	2002	15,385,000	2027	3.66% to 6.41%	7,680,000
General Construction	2006	10,015,000	2025	5.00% to 5.58%	4,080,000
General Construction	2007	8,575,000	2024	1.53% to 6.73%	1,860,026
General Construction	2007	10,075,000	2026	5.84% to 6.07%	5,000,000
General Construction	2008	3,185,000	2032	3.89% to 5.82%	2,175,000
General Construction	2008	7,750,000	2024	4.16% to 5.72%	3,040,000
General Construction	2009	6,802,000	2033	1.53% to 7.50%	5,178,000
Operational Purpose	2015	3,850,000	2030	6.00% to 8.00%	<u>3,135,000</u>
Subtotal					<u>35,768,026</u>
Sales & Usage Taxes:					
General Construction	2009	8,770,000	2033	1.48% to 7.50%	6,512,479
General Construction	2009	542,000	2033	1.48% to 7.50%	290,266
General Construction	2010	4,710,000	2034	4.75% to 7.50%	3,833,212
Operational Purpose	2014	7,445,000	2038	6.00% to 7.50%	<u>5,130,277</u>
Subtotal					<u>15,766,234</u>
Total Special Obligations Bonds					<u>51,534,260</u>
Section 108 Loan - CDBG:					
General Construction	2002	12,995,000	2022	2.66%	<u>600,000</u>
Total General and Special Obligations Bonds					<u>\$ 178,648,792</u>

Principal and interest on the bonds are generally paid from amounts withheld by MRCC from the monthly property tax remittances and deposited in GDB until the payment to the bond holder.

On July 14, 2017, the Financial Oversight and Management Board for Puerto Rico (Oversight Board) created by Congress authorized the Government Development Bank for Puerto Rico (GDB) to pursue the restructuring of its debts under Title VI of PROMESA and conditionally certified GDB's Restructuring Support Agreement (RSA) under the relevant provisions of Title VI.

During the fiscal year, the Municipality issued a general obligation bond, series 2019, in the amount of \$900,660 from US Department of Agriculture, Rural Development (RD) for purchase of equipment. The principal and interest at 2.75% are payable annually ranging from \$117,660 to \$140,060 on the 1st day of January of each year through January 2025.



16. LONG-TERM DEBTS – continuation

The Oversight Board's decision was in response to a Fiscal Agency and Financial Advisory Authority (FAFAA) request, dated June 30, 2017, in which the agency noted that the proposed restructuring, along with certain related settlements contemplated by the RSA, will result in an efficient wind down of GDB's operations and a comprehensive financial restructuring of GDB's obligations. FAFAA noted further that by proceeding under Title VI of PROMESA with the requisite creditor support, GDB believes that it will realize its objective of maximizing value for its stakeholders, while avoiding the delay, expense and uncertainty associated with litigation. Accordingly, under the GDB Restructuring Act the GDB transferred most of its loan assets to the GDB Debt Recovery Authority (DRA). The DRA is a new entity created by the GDB Restructuring Act for the purpose of receiving certain GDB assets, facilitate the restructuring of certain of GDB's indebtedness pursuant PROMESA and issuing new bonds.

As part of the process, the DRA engaged AmeriNat as its loan servicer. As loan servicer, AmeriNat is now handling all matters relating to municipalities loans portfolio from DRA, including collection and posting of payments, certification of balances to auditors, and addressing any past due situations in the event the municipalities is unable to make scheduled payments.

Variable interest rates on 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 USA, and (2) to corporations having tax exemptions under the Puerto Rico Industrial Incentives Acts and, which qualify for benefits provided by the former Section 936 of the US Internal Revenue Code.

Section 108 Loan – CDBG

Federal loan at June 30, 2019 consist of a note payable in annual installments fluctuating from \$200,000 to \$600,000 with variable bearing interest at 2.66%.

The following is a summary of changes in long-term debts of the Municipality for the year ended June 30, 2019:

DESCRIPTION	BALANCE JULY 1, 2018	NEW ISSUES	RETIREMENTS AND ADJUSTMENTS	BALANCE JUNE 30, 2019	AMOUNTS DUE WITHIN ONE YEAR	AMOUNTS DUE AFTER ONE YEAR
Governmental Funds:						
General Obligations Bonds	\$ 151,028,318	\$ 900,660	\$ (25,414,446)	\$ 126,514,532	\$ 7,665,700	\$ 118,848,832
Special Obligations Bonds	63,828,000	-	(12,293,740)	51,534,260	4,512,000	47,022,260
Federal Loans	1,200,000	-	(600,000)	600,000	600,000	-
Community Development Loan	5,000,000	-	-	5,000,000	-	5,000,000
Net Pension Liability	236,074,839	-	-	236,074,839	-	236,074,839
Other Obligations	19,403,210	7,417,199	(7,129,169)	19,691,240	5,056,050	14,635,190
TOTAL	\$ 476,534,367	\$ 8,317,859	\$ (45,437,355)	\$ 439,414,871	\$ 17,833,750	\$ 421,581,121

Community Disaster Loan

The Community Disaster Loan (CDL) at June 30, 2018 was granted under Section 417 of the Stafford Act and FEMA Regulation 44 CFR §206.367 under major disaster declaration of September 20, 2017 for the Territory of Puerto Rico (FEMA-DR-4339-PR). The Promissory Note is at interest rate of 2.625% (the rate for five-year maturities as determined by the Secretary of Treasury in effect on the date the Promissory Note is executed, adjusted to the nearest 1/8 percent).

continue



16. LONG-TERM DEBTS – continuation

B. Debt Compliance

There are a number of limitations and restrictions contained in the various bond indentures. The Municipality believes it is in compliance with all significant limitations and restrictions.

The annual requirements to amortize the noncurrent liabilities outstanding as of June 30, 2019, are as follows:

Year Ending June 30,	General Obligation Bonds		Special Obligation Bonds		Federal Loans		Other Obligations		Total	
	Principal Payment	Interest Payment	Principal Payment	Interest Payment	Principal Payment	Interest Payment	Principal Payment	Interest Payment	Principal	Interest
2020	\$ 7,665,700	\$ 8,364,408	\$ 4,512,000	\$ 3,336,450	\$ 600,000	\$ 9,900	\$ 5,055,850	\$ 76,595	\$ 17,833,550	\$ 11,787,353
2021	8,091,700	8,062,928	4,803,000	3,177,932	-	-	65,554	72,720	12,960,254	11,313,580
2022	8,911,700	7,549,185	5,121,000	2,866,407	-	-	69,672	68,601	14,102,372	10,484,193
2023	9,443,982	6,987,061	4,790,026	2,531,799	-	-	74,050	64,224	14,308,058	9,583,084
2024	9,874,200	6,388,556	5,036,000	2,223,192	-	-	78,703	59,571	14,988,903	8,671,319
2025-2029	44,562,000	22,531,648	16,423,000	6,748,820	-	-	474,205	217,162	61,459,205	29,497,630
2030-2034	26,346,650	9,796,958	9,465,745	2,222,106	-	-	429,224	54,733	36,241,619	12,073,797
2035-2039	11,618,600	1,693,286	1,383,489	98,865	-	-	-	-	13,002,089	1,792,151
Unmatured	-	-	-	-	5,000,000	-	249,518,821	-	254,518,821	-
TOTAL	\$ 126,514,532	\$ 71,374,030	\$ 51,534,260	\$ 23,205,571	\$ 5,600,000	\$ 9,900	\$ 255,766,079	\$ 613,606	\$ 439,414,871	\$ 95,203,107

C. Arbitrage Rebate Requirement

According to Sections 103 and 148 through 150 of the US Internal Revenue Code and Sections 1.148 through 1.150 of the US Treasury Regulation, the Municipality's tax-exempt bonds are subject to the arbitrage rebate requirements. At June 30, 2019, the Municipality had no federal arbitrage liability on bonds since interest income earned from the investment of unspent bond proceeds were made in bank deposits that generate yields lower than the rates applicable to the debt service payments.

D. Refunding of Bonds and Notes

On July 9, 2018, the Municipality entered into a Credit Agreement with the banking corporation of Santander Bank to refinance \$8,500,000 of different general obligation bonds and notes, and to cover the costs associated with the transaction of \$55,000. The intent of this transaction was to reduce the interest costs on these obligations, through reduced interest rates. No cash were obtained from this refinance, and the costs of issuance were added to the new loan, for a total of \$8,555,000.

On August 15, 2018, the Municipality entered into a Credit Agreement with the banking corporation of Oriental Bank to refinance \$4,758,209.97 of different general obligation bonds and notes, and to cover the costs associated with the transaction of \$51,790.03. The intent of this transaction was to reduce the interest costs on these obligations, through reduced interest rates. No cash were obtained from this refinance, and the costs of issuance were added to the new loan, for a total of \$4,810,000.

On June 12, 2019, the Municipality entered into a Credit Agreement with the banking corporation of Oriental Bank to refinance \$6,691,711.99 and \$11,335,204.21 of different general obligation bonds and notes, and to cover the costs associated with the transaction of \$173,083.80. The intent of this transaction was to reduce the interest costs on these obligations, through reduced interest rates. No cash were obtained from this refinance, and the costs of issuance were added to the new loan, for a total of \$18,200,000.

continue



16. LONG-TERM DEBTS – continuation

E. Other Non-Current Liabilities

The following is a summary of changes in other non-current liabilities of the Municipality for the year ended June 30, 2019:

DESCRIPTION	BALANCE JULY 1, 2018	NEW ISSUES	RETIREMENTS AND ADJUSTMENTS	BALANCE JUNE 30, 2019	AMOUNTS DUE WITHIN ONE YEAR	AMOUNTS DUE AFTER ONE YEAR
Governmental Funds:						
Law No. 42-MRCC	\$ 1,311,119	\$ -	\$ (58,032)	\$ 1,253,087	\$ 61,878	\$ 1,191,209
PR Retirement System Administration	4,137,050	-	-	4,137,050	-	4,137,050
Claims and Judgments	209,116	64,542	(102,271)	171,387	110,000	61,387
MRCC-Property Taxes Liquidation	149,233	-	-	149,233	149,233	-
Christmas Bonus	832,924	830,363	(832,924)	830,363	830,363	-
Retainage Liability	15,934	133,345	(7,300)	141,979	-	141,979
Compensated Absences	12,747,834	6,388,949	(6,128,642)	13,008,141	3,904,576	9,103,565
TOTAL	\$ 19,403,210	\$ 7,417,199	\$ (7,129,169)	\$ 19,691,240	\$ 5,056,050	\$ 14,635,190

Due to Municipal Revenue Collection Center

The Act No. 42 dated January 2000 allows the Municipal Revenue Collection Center (MRCC, as per its Spanish acronyms) to issue debt based on the disbursements made in excess to the municipalities on their final liquidation prior to fiscal year 2000. The municipalities agreed to repay MRCC such loans in semi-annual installments plus accrued interest. In connection with Law 42 the Municipality issued a note payable to MRCC in the amount of \$1,876,000 payable in 30 years plus interest at a semi-annual rate of 3.0938%.

Also, Property Taxes Liquidation for fiscal year 2017-2018 result in a payable to the MRCC in the amount of \$149,233.

Accrued Legal Claims

This amount represents the amount accrued for possible claims arising from litigations as recommended by the Municipality's attorneys and classified as due after one year. Only claims presented as due within one year when the Municipal Legislature approved it in the next fiscal year budget.

Christmas Bonus

This amount represents the estimated accrued Christmas bonus accumulated as of June 30, 2019 and payroll related benefits, representing the benefit to employees to be paid during the last week of November 2019.

Compensated Absences

The GWFS, Statement of Net Position, includes approximately \$13.0 million in the governmental activities for the estimated accrued vacation benefits, accrued sick leave benefits and payroll related benefits, representing the Municipality's commitment to fund such costs from future operations. The General Fund have been used to liquidate the liability for this concept.



16. LONG-TERM DEBTS – continuation

PR Retirement System Administration

The GWFS, Statement of Net Position, includes approximately \$4.1 million in the governmental activities for the amount notified by the Retirement System Administration to the Municipality, related to the uniform additional contribution. The General Fund have been used to liquidate the liability for this concept.

17. DEBT RETIREMENT

Revenues of the Debt Service Fund consist of the ad-valorem property taxes which are recognized as revenue when collected from taxpayers and reported by the MRCC to the Municipality (See Note 3).

These property taxes are accumulated by the MRCC in costs of the general obligation bonds issued by the Municipality (See Note 16). Payments are made to the GDB from such accumulated funds by the MRCC.

As per Act Number 18 of 2014 was created the "Law of Municipal Administration Fund (MAF)" to establish a special fund called the Municipal Administration, authorize municipalities to pledge the funds deposited in the Local Government Fund to which they are to secure the repayment of any loan, bond, note or other evidence of indebtedness, which are the source of repayment funds deposited in the Special Fund and to meet any expenditure budget of the municipality and the municipality any activity or project, authorize the Government Development Bank of Puerto Rico to make disbursements for purposes set out in this Act.

This measure is intended, first, to strengthen the financial capacity of the Corporation Tax Fund of Puerto Rico (COFINA, by Spanish acronyms), established under Law No. 91-2006, as amended, known as the "Law Fund of Sales and Usage Taxes", adjusting the sales and usage taxes (SUT) by increasing the state portion to 10.5% while the municipal SUT is reduced to 1.0%, effective February 1, 2014. Through this legislation a mechanism under which the SUT collections entitled to receive the Commonwealth of Puerto Rico each fiscal year, after complying with the deposits in the Tax Fund requires by Act No. 91-2006, shall be deposited in a special fund created for the benefit of, and assigned to the municipalities. This special fund is called the "Local Government Fund" ("LGF"), which will be guarded by the Government Development Bank of Puerto Rico.

Also, on February 1, 2014 was enacted the Act No. 19 that creates the Municipal Financing Corporation (COFIM, by Spanish acronyms). The COFIM, attached to the Government Development Bank (GDB), with the power to issue bonds or use other mechanisms to pay or refinance debt incurred by municipalities, the payment of principal and interest is backed by the municipal SUT.

In addition, it created the Redemption Fund of COFIM, to which the resources of the existing Municipal Fund Redemption will be transferred effective February 1, 2014, and facilitated the distribution of funds from the Municipal Redemption Fund, the Municipal Development Fund and the Municipal Improvement Fund. Provides that the first proceeds of the municipal SUT of 1% shall be collected by the Treasury Department and deposited directly into the Redemption Fund of COFIM. Provides that bonds and notes issued by the COFIM be payable and secured by the pledge of a fixed amount, or municipal SUT corresponding to a fixed rate of 0.3% has been collected during the previous fiscal year, whichever is greater.



17. DEBT RETIREMENT – continuation

On July 14, 2017, the Financial Oversight and Management Board for Puerto Rico (Oversight Board) created by Congress authorized the GDB to pursue the restructuring of its debts under Title VI of PROMESA and conditionally certified GDB's Restructuring Support Agreement (RSA) under the relevant provisions of Title VI. The Oversight Board's decision was in response to a Fiscal Agency and Financial Advisory Authority (FAFAA) request, dated June 30, 2017, in which the agency noted that the proposed restructuring, along with certain related settlements contemplated by the RSA, will result in an efficient wind down of GDB's operations and a comprehensive financial restructuring of GDB's obligations. FAFAA noted further that by proceeding under Title VI of PROMESA with the requisite creditor support, GDB believes that it will realize its objective of maximizing value for its stakeholders, while avoiding the delay, expense and uncertainty associated with litigation.

The RSA provides for the organized and consensual restructuring of a substantial portion of GDB's liabilities, including GDB public bonds, deposit claims by municipalities and certain non-public entities and claims under certain GDB-issued letters of credit and guarantees (Participating Bond Claims). In exchange for releasing GDB from liability relating to these claims, the claimholders will receive new bonds to be issued by a new entity (the Issuer).

Prior to the closing of the Restructuring, the Amended RSA will simplify the GDB restructuring transaction while simultaneously providing additional relief to municipalities as they recover from the severe damage and devastation caused to Puerto Rico and its municipalities in the wake of Hurricanes Irma and María. The amendment to the RSA provides that, upon consummation of the transaction, each municipality will be authorized to apply the full amount of deposits held at GDB against the balance of any loan owed by such municipality to GDB. Additionally, to provide municipalities with immediate liquidity, the amendment to the RSA gives each municipality the opportunity to receive immediate payment, before consummation of the transaction, of 55% of such municipality's undisbursed certified Excess CAE held at GDB in exchange for releases. The other 45% should be apply against the balance of any loan owed by such municipality to GDB. Pursuant to Article 501 of Act No. 109-2017, on November 29, 2018, as amended, the FAFAA certified that the balances of loans and deposits in GDB was set forth reducing the long-term notes in the amount of \$24,694,959.

The amendment also results in a simplified structure whereby GDB's financial creditors will exchange their claims for only one tranche of new bonds at an upfront exchange ratio of 55%. All cash in GDB are presented as Restricted Cash in the basic financial statements. The RSA amendment is available on the Electronic Municipal Market Access website.

18. DEFERRED INFLOWS OF RESOURCES

Pursuant to GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, the Municipality recognized deferred inflows of resources in the government-wide and fund statements. These items are an acquisition of net position by the Municipality that is applicable to a future reporting period. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities.

The Municipality has an item that are reportable on the government-wide *Statement of Net Position* that are relates to inflows from changes in the Net Pension Liability (Note 19).

Under the modified accrual basis of accounting, it is not enough that revenue is earned; it must also be available to finance expenditures of the current period. Governmental funds *Balance Sheet* report *Deferred Inflows of Resources* in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period (unavailable). Governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned.

continue



18. DEFERRED INFLOWS OF RESOURCES – continuation

At the end of the current fiscal year, the various components of Deferred Inflows of Resources reported in the basic financial statements were as follows:

Statement of Net Position:	
Deferred Inflows of Resources	
Unamortized Investment in ERS	\$ 4,518,298

Balance Sheet:	
Commonwealth of Puerto Rico	\$ 1,357,484
Federal Grants:	
Capital Projects Fund	1,158,025
Head Start Program	10,989,894
Other Governmental Funds	<u>1,751,601</u>
Total Deferred Inflows of Resources	<u>\$ 15,257,004</u>

19. PENSION PLANS

As further described in Note 2 D 12, the Municipality implemented GASB Statement No. 68, Accounting and Financial Reporting for Pension, during fiscal year 2015, and a new Required Supplementary Information schedules are included herein. Also, GASB Statement No. 71, Pension Transition for Contributions Made Subsequent to the Measurement Date, an amendment to GASB No. 68, is implemented simultaneously with the provisions of GASB No. 68.

A. Employee’s Retirement System of the Government of the Commonwealth of Puerto Rico

Description of the Plan

Employees of the Municipality participate in the Employee’s Retirement System of the Government of the Commonwealth of Puerto Rico (ERS) administered by the Puerto Rico Government Employees and Judiciary Retirement Systems Administration. The ERS is cost-sharing multiple-employer contributory, hybrid defined benefit pension plan sponsored by the Commonwealth under the Act No. 447, approved on May 15, 1951, as amended (Act No. 447) and began operation on January 1, 1952, at which date, contributions by employers and participating employees commenced. The ERS is a pension trust of the Commonwealth. All qualified permanent and probationary employees of the Commonwealth and its instrumentalities and of certain municipalities and components units not covered by their own retirement systems are eligible to participate in the ERS. As of June 30, 2015, there were 206 participating employers (73 Commonwealth agencies, 78 municipalities, and 55 public corporations, including the ERS). The ERS, as a governmental retirement plan, is excluded from the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

At July 1, 2015, membership of the ERS consisted of the following:

Retirees and beneficiaries currently receiving benefits	109,649
Current participating employees	119,679
Disabled members, receiving benefits	<u>15,444</u>
Total Membership	<u>244,772</u>

Certain provisions are different for the three groups of members who entered the ERS prior to July 1, 2013 as described below:

- Members of Act No. 447 are generally those members hired before April 1, 1990 (Defined Benefit Program)
- Members of Act No. 1 are generally those members hired on or after April 1, 1990 and on or before December 31, 1999 (Defined Contribution Program)

continue



19. PENSION PLANS – continuation

- Members of Act No. 305 are generally those members hired on or after January 1, 2000 and on or before June 30, 2013 (Define Contribution Hybrid Program). Each member has a no forfeitable right to the value of his/her account. Members have three options to invest their contributions. Investment income is credited to the member's account semiannually. The Commonwealth does not guarantee benefits at retirement age.

All regular employees hired for the first time on or after July 1, 2013, and former employees who participated in the Defined Benefit Program and the Define Contribution Hybrid Program, and were rehired on or after July 1, 2013, become members of the Define Contribution Hybrid Program as a condition to their employment. In addition, employees who at June 30, 2013, were participants of previous programs will become part of the Defined Contribution Hybrid Program.

Each member has a non-forfeitable right to the value of his/her account. Members have three options to invest their contributions. Investment income is credited to the member's account semiannually. The Commonwealth does not guarantee benefits at retirement age.

The assets of the Defined Benefit Program, the Defined Contribution Program and the Contribution Hybrid Program are pooled and invested by the ERS. Future benefit payments will be paid from the same pool of assets.

Participant of the Program

Shall mean, until June 30, 2013, every person for whom the Administrator maintains an account under the Retirement Savings Account Program pursuant to the provisions of Chapter 3 of Act No. 447. Beginning on July 1, 2013, it shall mean every person for whom the Administrator maintains an account under the Defined Contribution Hybrid Program pursuant to the provisions of Chapter 5 of this Act.

The members of the ERS include all regular full-time and non-municipal temporary employees who are not contributing to other Retirement Systems (Article 1-104 and 1-105). Employees include those in the following categories:

- Police of Puerto Rico,
- Firefighters of Puerto Rico,
- Elective officers of the People of Puerto Rico and the employees of the Legislature,
- Officers and employees of the Government of Puerto Rico,
- Officers and employees of public enterprises,
- Officers and employees, including mayors, of the municipalities, and
- Irregular personnel fulfilling the requirements of regular employee.

Membership in the ERS is mandatory, except for the Governor of Puerto Rico, Government Secretaries, heads of public agencies and instrumentalities, the Governor's aides, gubernatorial appointees of commissions and boards, members of the Legislature, the Comptroller of Puerto Rico, the employees of the Agricultural Extension Service of the U.P.R., the Ombudsman and the Commonwealth Election Board employees (Article 1-105). In addition, membership is optional for eligible employees while working and residing outside the territorial limits of the Commonwealth of Puerto Rico (Act No. 112 of 2004).

As of July 1, 2013, every employee who is a participant of the ERS, including mayors, regardless of the date when he/she was first appointed to the Government of the Commonwealth of Puerto Rico, its instrumentalities, municipalities or participating employers of the ERS, shall become part of the Defined Contribution Hybrid Program.



19. PENSION PLANS – continuation

Notwithstanding the fact that a superannuation retirement annuity is payable for life, if annuitants return to the service, the payment of their annuity shall be suspended. After an annuitant separates from service, payment of the suspended annuity shall resume and he/she shall also have the option to withdraw the contributions made since the date he/she returned to service up until he/she separates from service if, after returning to service, he/she worked less than five (5) years or accrued contributions for less than ten thousand dollars (\$10,000). In the event the annuitant worked five (5) years or more and contributed ten thousand dollars (\$10,000) or more, after returning to service, he/she shall be entitled, after his/her separation from service and after reaching the age established in Section 5-110 of Act No. 447, to receive an additional annuity computed pursuant to Section 5-110 of this Act, based on the contributions made since the date said annuitant returned to service until his/her separation from it.

This summary of plan provisions is intended to describe the essential features of the plan. All eligibility requirements and benefit amounts shall be determined in strict accordance with the plan document itself.

(1) Creditable Service

- (a) Creditable Service for Act No. 447 members – the years and months for plan participation, during which contributions have been made, beginning on the later of date of hire or January 1, 1952 and ending on date of separation from service. For purposes of calculating Creditable Service, the following schedule shall apply:

Service During a Fiscal Year	Creditable Service Earned
15 days during the same month	1 month
2 months and 15 days to 5 months and 14 days	½ year
5 months and 15 days to 8 months and 14 days	¾ year
8 months and 15 days to 12 months	1 year

Note: All the days must be during the same month.

In general, Creditable Service may be earned for any period of employment during which no contributions were made if Accumulated Contributions for such periods are paid to the ERS. The same rules hold for rehired employees who previously received a refund of Accumulated Contributions at separation (Article 1-106). Creditable Service also includes purchased service, if any (Article 1-106).

- (b) Creditable Service for Act No. 1 members – the years and completed months of plan participation, during which contributions have been made, beginning on date of hire and ending on date of separation from service (Article 1-106 and 2-109). For purposes of calculating Creditable Service, the following schedule shall apply:

Service During a Fiscal Year	Creditable Service Earned
Less than 3 months	None
3 to 5 months	½ year
6 to 8 months	¾ year
9 months or more	1 year

In general, Creditable Service may be earned for any period of employment during which no contributions were made if Accumulated Contributions for such periods are paid to the ERS. The same rules hold for rehired employees who previously received a refund of Accumulated Contributions at separation (Article 1-106). Creditable Service also includes purchased service, if any (Article 1-106).



19. PENSION PLANS – continuation

(2) Service Retirements

- (a) Eligibility for Act No. 447 Members – members who were eligible to retire as of June 30, 2013 continue to be eligible to retire at any time. Prior to July 1, 2013, Act No. 447 members could retire upon (1) attainment of age 55 with 25 years of credited service, (2) attainment of age 58 with 10 years of credited service, (3) any age with 30 years of credited service, (4) for Public Officers in High Risk Positions (the Commonwealth Police and Firefighter Corps, the Municipal Police and Firefighter Corps and the Custody Office Corps), attainment of age 50 with 25 years of credited service, and (5), for Mayors of municipalities, attainment of age 50 with 8 years of credited service as a Mayor. In addition, Act No. 447 members who attained 30 years of credited service by December 31, 2013 are eligible to retire at any time.

Act No. 447 members who were not eligible to retire as of June 30, 2013 and did not attain 30 years of credited service by December 31, 2013 are eligible to retire upon attainment of the retirement eligibility age shown in the table below with 10 years of credited service.

Date of Birth	Attained Age as of June 30, 2013	Retirement Eligibility Age
July 1, 1957 or later	55 or less	61
July 1, 1956 to June 30, 1957	56	60
Before July 1, 1956	57 and up	59

In addition to the requirements in the table above, Act No. 447 Public Officers in High Risk Positions who were not eligible to retire as of June 30, 2013 and did not attain 30 years of credited service by December 31, 2013 are eligible to retire directly from active service upon the attainment of age 55 with 30 years of credited service.

- (b) Eligibility for Act No. 1 Members – members who were eligible to retire as of June 30, 2013 continue to be eligible to retire at any time. Prior to July 1, 2013, Act No. 1 members could retire upon (1) attainment of age 55 with 25 years of credited service, (2) attainment of age 65 with 10 years of credited service, (3) for Public Officers in High Risk Positions, any age with 30 years of credited service, and (4) for Mayors, attainment of age 50 with 8 years of credited service as a Mayor.

Act No. 1 members who were not eligible to retire as of June 30, 2013 are eligible to retire upon attainment of age 65 with 10 years of credited service. In addition, Act No. 1 Public Officers in High Risk Positions who were not eligible to retire as of June 30, 2013 are eligible to retire directly from active service upon the attainment of age 55 with 30 years of credited service.

- (c) Eligibility for System 2000 Members – members who were eligible to retire as of June 30, 2013 continue to be eligible to retire at any time. Prior to July 1, 2013, System 2000 members could retire upon attainment of age 55 for Public Officers in High Risk Positions and attainment of age 60 otherwise.

System 2000 members who were not eligible to retire as of June 30, 2013 are eligible to retire upon attainment of age 55 for Public Officers in High Risk Positions and upon attainment of the retirement eligibility age shown in the table below otherwise.



19. PENSION PLANS – continuation

Date of Birth	Attained Age as of June 30, 2013	Retirement Eligibility Age
July 1, 1957 or later	55 or less	65
July 1, 1956 to June 30, 1957	56	64
July 1, 1955 to June 30, 1956	57	63
July 1, 1954 to June 30, 1955	58	62
Before July 1, 1954	59 and up	61

- (d) Eligibility for Members Hired after June 30, 2013 – attainment of age 58 if a Public Officer in a High-Risk Position and attainment of age 67 otherwise.

(3) Service Retirement Annuity Benefits

An annuity payable for the lifetime of the member equal to the annuitized value of the balance in the hybrid contribution account at the time of retirement, plus, for Act No. 447 and Act No. 1 members, the accrued benefit determined as of June 30, 2013. If the balance in the hybrid contribution account is \$10,000 or less, it shall be paid as a lump sum instead of as an annuity.

- (a) *Accrued Benefit as of June 30, 2013 for Act No. 447 Members* – The accrued benefit as of June 30, 2013 shall be determined based on the average compensation, as defined, for Act No. 447 members, the years of credited service, and the attained age of the member all as of June 30, 2013. For Act No. 447 Mayors, the highest compensation, as defined, as a Mayor is determined as of June 30, 2013.

If the Act No. 447 member had at least 30 years of credited service as of June 30, 2013, the accrued benefit equals 65% of average compensation if the member was under age 55 as of June 30, 2013 or 75% of average compensation, if the member was at least age 55 as of June 30, 2013. For participants selecting to coordinate with social security (the Coordination Plan), the benefit is re-calculated at the Social Security Retirement Age (SSRA), as defined, as 1.5% of average compensation up to \$6,600 multiplied by years of credited service, up to 30 years, plus 65% (75% if member was at least age 55 as of June 30, 2013) of average compensation in excess of \$6,600.

If the Act No. 447 member had less than 30 years of credited service as of June 30, 2013, and attains 30 years of credited service by December 31, 2013, the accrued benefit equals 55% of average compensation, if the member was under age 55 as of June 30, 2013 or 60% of average compensation, if the member was at least age 55 as of June 30, 2013. For participants selecting the Coordination Plan, the benefit is re-calculated at SSRA as 1.5% of average compensation up to \$6,600 multiplied by years of credited service, up to 30 years, plus 55% (60% if member was at least age 55 as of June 30, 2013) of average compensation in excess of \$6,600. Member contributions received from Act No. 447 members eligible for this transitory benefit during the period beginning July 1, 2013 and ending upon the attainment of 30 years of credited service are considered pre-July 1, 2013 contributions; the contributions to the hybrid contribution account begin after the member attains 30 years of credited service.

If the Act No. 447 member had less than 30 years of credited service as of December 31, 2013, the accrued benefit equals 1.5% of average compensation multiplied by years of credited service up to 20 years, plus 2% of average compensation multiplied by years of credited service in excess of 20 years. Maximum benefit is 75% of average compensation. Except for Commonwealth Police and Commonwealth Firefighters, the benefit is actuarially reduced for each year payment commences prior to age 58.



19. PENSION PLANS – continuation

For participants selecting the Coordination Plan, the basic benefit is re-calculated at SSRA as 1% of average compensation up to \$6,600 multiplied by years of credited service up to 20 years, plus 1.5% of average compensation in excess of \$6,600 multiplied by years of credited service up to 20 years, plus 2.0% of average compensation in excess of \$6,600 multiplied by years of credited service in excess of 20 years. Except for Police and Firefighters, the benefit is actuarially reduced for each year payment commences prior to age 58.

For Act No. 447 Mayors with at least 8 years of credited service as a mayor, the accrued benefit will not be less than 5% of highest compensation, as defined, as a Mayor for each year of credited service as a Mayor up to 10 years, plus 1.5% of highest compensation as Mayor for each year of non-Mayoral credited service up to 20 years, plus 2.0% of highest compensation as Mayor for each year of non-Mayoral credited service in excess of 20 years. Non-Mayoral credited service includes service earned as a Mayor in excess of 10 years. Maximum benefit is 90% of highest compensation as a Mayor.

- (b) Accrued Benefit as of June 30, 2013 for Act No. 1 Members – The accrued benefit as of June 30, 2013 shall be determine based on the average compensation for Act No. 1 member, the years of credited service, and the attained age of the member all as of June 30, 2013. For Act No. 1 Mayors, the highest compensation as a Mayor is determined as of June 30, 2013.

If the Act No. 1 member is a police officer or firefighter with at least 30 years of credited service as of June 30, 2013, the accrued benefit equals 65% of average compensation if the member was under age 55 as of June 30, 2013 or 75% of average compensation if the member was at least age 55 as of June 30, 2013.

For all other Act No. 1 Mayors with at least 8 years of credited service as a mayor, the accrued benefit will not be less than 5% of highest compensation as a Mayor for each year of credited service as a Mayor up to 10 years, plus 1.5% of highest compensation as Mayor for each year of non-Mayoral credited service up to 20 years, plus 2.0% of highest compensation as Mayor for each year of non-Mayoral credited service in excess of 20 years. Non-Mayoral credited service includes service earned as a Mayor in excess of 10 years. Maximum benefit is 90% of highest compensation as a Mayor.

- (c) Coordination with Social Security Act for Act No. 447 Members – Except for police, mayors and employees of the Agricultural Extension Service of the U.P.R., participants may elect to coordinate coverage under the ERS with Federal Social Security by selecting the lower of two contribution options. Those participants selecting Option (1), the Coordination Plan, are subject to a benefit recalculation upon attainment of Social Security Retirement Age. Those participants selecting Option (2), the Supplementation Plan, will continue to receive the same benefits for life, without any adjustment at SSRA. At any time, up to retirement, participants may change from Option (1) to Option (2) by making a contribution including interest to the ERS, retroactive to the later of July 1, 1968 or the date of plan entry, that will bring their career Accumulated Contributions to the Option (2) level. All police, mayors and employees of the Agricultural Extension Service of the U.P.R. are covered under Option (2), the Supplementation Plan.

(4) Compulsory Retirement

All Act No. 447 and Act No. 1 Public Officers in High Risk Positions must retire upon attainment of age 58 and 30 years of credited service. A two-year extension may be requested by the member from the Superintendent of the Puerto Rico Police, the Chief of the Firefighter Corps, or supervising authority as applicable.



19. PENSION PLANS – continuation

(5) **Early Retirement Incentive Program of 2015**

Act No. 211 of December 8, 2015 (Act 211-2015), as amended by Act No. 170-2016, is an early retirement incentive program. All employers participating in ERS are eligible to apply to participate in Act 211-2015. Qualification is conditioned upon approval by the Office of Management and Budget (OMB) of the agency's plan to implement such program and its impact on the agency.

Act 211-2015 states that employers who have outstanding debt with ERS must enter into a payment plan that includes using a portion of the employer's savings from Act 211-2015 in order to pay the outstanding debt. Eligible employees are Act 447 members in ERS who have at least 20 years of service at the time of enrollment in the program, and who, except for Police, are not already eligible to retire under Act 447. Under Act 211-2015, employees who elect to participate in the program will receive a variety of benefits, some of which do not impact ERS. The benefits which impact ERS are as follows:

- (a) Contributions to the Defined Contribution Hybrid Program while enrolled in the program equal to 10% of the average compensation as of December 31, 2015, paid in full by the employer until the member reaches age 61. Note that employer contributions will also be paid to the System on this basis.
- (b) Upon death while enrolled in the program prior to age 61, participation in the program will end and the death benefits payable to survivors if any will be the same as for an active Act 447 member.
- (c) Upon attainment of age 61, the employee will begin collecting retirement benefits from ERS, with a guarantee at the time of retirement that the retirement benefit will be at least 50% of average compensation as of June 30, 2013 (60% for Puerto Rico Police provided the agency pays for the increase from 50% to 60%). Benefits for Coordination Plan members (which decrease upon attainment of Social Security Retirement Age) can never be less than 50% of average compensation as of June 30, 2013. The agency shall pay an additional contribution to ERS to cover the cost of providing this additional minimum benefit.

(6) **Termination Benefits**

(a) **Lump Sum Withdrawal**

Eligibility: A Member is eligible upon termination of service prior to 5 years of service or if the balance in the hybrid contributions account is \$10,000 or less.

Benefit: The benefit equals a lump sum payment of the balance in the hybrid contribution account as of the date of the permanent separation of service.

(b) **Deferred Retirement**

Eligibility: A member is eligible upon termination of service with 5 or more years of service (10 years of credited service for Act No. 447 and Act No. 1 members) prior to the applicable retirement eligibility, provided the member has not taken a lump sum withdrawal of the accumulated contributions and the hybrid contribution account.

Benefit: An annuity payable for the lifetime of the member commencing at the applicable retirement eligibility age equal to the annuitized value of the balance in the hybrid contribution account at the time of retirement, plus, for Act No. 447 and Act No. 1 members, the accrued benefit determined as of June 30, 2013.

continue



19. PENSION PLANS – continuation

(7) Death Benefits

(a) Pre-Retirement Death Benefit

Eligibility: Any current non-retired member is eligible.

Benefit: A refund of the hybrid contribution account, plus the accumulated contributions for Act No. 447 and Act No. 1 members.

(b) High-Risk Death Benefit under Act No. 127

Eligibility: Police, firefighters, and other employees in specified high-risk positions who die in the line of work due to reasons specified in Act No. 127 of 1958, as amended.

Spouse's Benefit: 50% of the participant's compensation at date of death, payable as an annuity until death or remarriage.

Children's Benefit: 50% of the participant's compensation at date of death, payable as an annuity, and allocated pro-rata among eligible children. The annuity is payable for life for a disabled child, until age 18 for a nondisabled child not pursuing studies, and until age 25 for a nondisabled child who is pursuing studies.

Benefit if No Spouse or Children: The parents of the member shall each receive 50% of the participant's compensation at date of death, payable as an annuity for life.

Post-death Increases: Effective July 1, 1996 and subsequently every three years, the above death benefits are increased by 3% provided that the beneficiary(ies) had been receiving payments for at least three years. The cost of these benefits is paid by the Commonwealth's General Fund.

(c) Post-Retirement Death Benefit for Members who Retired prior to July 1, 2013

Eligibility: Any retiree or disabled member receiving a monthly benefit who has not elected a reversionary annuity and whose benefits commenced prior to July 1, 2013.

Benefit: The benefit is as follows (Act No. 105, as amended by Act No. 4):

- (i) For those married or with dependent children at the time of death, the annual income to a widow, or widower or dependent children is equal to 60% (50% if in the Coordination Plan – 30% prior to January 1, 2004) of the retirement benefit payable for life for a surviving spouse and/or disabled children and payable until age 18 (age 25 if pursuing studies) for nondisabled children. If in the Coordination Plan, the benefit to the surviving spouse does not begin until the spouse's attainment of age 60 and the surviving spouse must have been married to the member for at least 10 years to be eligible for this benefit. The increase in the percentage from 30% to 50% if in the Coordination Plan is paid by the General Fund for former government employees or by the public enterprise or municipality for their former employees.



19. PENSION PLANS – continuation

- (ii) The benefit, when there is no relation as stated above, is equal to the remaining balance of accumulated contributions at the time of retirement after the deduction of lifetime annual income paid and is payable to a beneficiary or to the member's estate. In no case, shall the benefit be less than \$1,000. Either the Commonwealth's General Fund for former government employees or the public enterprise or municipality for their former employees pays the difference, up to \$250, between (1) the accumulated contributions less the lifetime annual income paid and (2) \$1,000. The ERS pays for the rest.

(d) Post-Retirement Death Benefit for Members who began receiving a monthly benefit after to June 30, 2013

Eligibility: Any retiree or disabled member who has not elected a reversionary annuity and whose benefits commenced prior to July 1, 2013.

Benefit: If the member elected at the time of retirement to transfer a portion of the annuity to a beneficiary by selecting an actuarially equivalent optional form of payment, the applicable survivor benefit.

For all members, the excess, if any, of the hybrid contribution account, plus the accumulated contributions for Act No. 447 and Act No. 1 members, at the time of retirement over the total annuity payments paid to the member and any beneficiary per the terms of the optional form of payment shall be payable to a beneficiary or the member's estate.

(e) Beneficiaries receiving occupational death benefits as of June 30, 2013 continue to be eligible to receive such benefits

(8) Disability Benefits

(a) Disability

Eligibility: All members are eligible upon the occurrence of disability.

Benefit: The balance of the hybrid contribution account payable as lump sum distribution, an immediate annuity or a deferred annuity at the election of the participant. Act No. 447 and Act No. 1 members remain eligible to receive the accrued benefit as of June 30, 2013 commencing at the applicable retirement eligibility age.

(b) High-Risk Death Benefit under Act No. 127

Eligibility: Police, firefighters, and other employees in specified high-risk positions who disabled in the line of work due to reasons specified in Act No. 127 of 1958, as amended.

Benefit: 80% (100% for Act No. 447 members) of compensation as of date of disability, payable as an annuity. If the member dies while still disabled, this annuity benefit continues to his beneficiaries. Beneficiaries include the surviving spouse and/or disabled children (for life), nondisabled children until age 18 (age 25 if pursuing studies), and the parents if no other beneficiaries. Effective July 1, 1996 and subsequently every three years, the disability benefit is increased by 3% provided that the member (or beneficiary) had been receiving payments for at least three years (Act No. 127 of 1958, as amended). The cost of these benefits is paid by the Commonwealth's General Fund.



19. PENSION PLANS – continuation

- (c) **Members who qualified for occupational or non-occupational disability benefits as of June 30, 2013 continue to be eligible to receive such benefits.**

(d) **Disability Insurance**

The Administrator, with the approval of the Board, shall establish a disability benefits program, which shall provide a temporary annuity in the event of total and permanent disability. Disability benefits may be provided through one or more disability insurance contracts with one or more insurance companies authorized by the Insurance Commissioner of Puerto Rico to conduct business in Puerto Rico. The determination as to whether a person is partially or totally and permanently disabled, shall be made by the insurance company that issues the insurance policy covering the person. All the participants of the Program who are employees shall avail themselves to the disability benefits program in the manner and form established by the Administrator. During fiscal year 2016-2017 the disability insurance amounted to \$43,325.

(9) Special Benefits

(a) Minimum Benefits

- (i) Past Ad hoc Increases

The Legislature, from time, increases pensions for certain retirees as described in Act No. 124 approved on June 8, 1973 and Act No. 23 approved on September 23, 1983. The benefits are paid 50% by the Commonwealth's General Fund and 50% by the ERS.

- (ii) Minimum Benefit for Members who Retired before July 1, 2013 (Act No. 156 of 2003, Act No. 35 of 2007, and Act No. 3)

The minimum monthly lifetime income for members who retired or become disabled before July 1, 2013 is \$500 per month effective July 1, 2013 (\$400 per month effective July 1, 2007 and \$300 per month up to June 30, 2007). The increase in the minimum monthly benefit from \$200 per month to \$300 per month is paid by the Commonwealth's General Fund for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees. The increase in the minimum monthly benefit from \$300 per month to \$400 per month is to be paid by the ERS for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees.

- (iii) Coordination Plan Minimum Benefit

A minimum monthly benefit is payable upon attainment of SSRA such that the benefit, when added to the Social Security Benefit, is not less than the benefit payable prior to SSRA.



19. PENSION PLANS – continuation

(b) Cost-of-Living Adjustments (COLA) to Pension Benefits

The Legislature, from time to time, increases pensions by 3% for retired and disabled members. Beneficiaries are not entitled to COLAs granted after the retiree's death. The first increase was granted by Act No. 10 of 1992. Subsequent 3% increases have been granted every third year since 1992, with the latest 3% increase established on April 24, 2007 and effective July 1, 2007 (retroactive to January 1, 2007) for retired and disabled members that were receiving a monthly benefit on or before January 1, 2004 less than \$1,250 per month received an increase of up to 3% without exceeding the limit of \$1,250 per month. The COLAs granted in 1992 to all retirees and in 1998 to retirees who are former government or municipal employees shall be paid by the ERS.

All other COLAs granted in 1995 and later shall be paid by the Commonwealth's General Fund for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees.

(c) Special "Bonus" Benefits

(i) Christmas Bonus (Act No. 144, as Amended by Act No. 3)

An annual bonus of \$200 for each retiree, beneficiary, and disabled member paid in December provided the member retired prior to July 1, 2013. This benefit is paid from the supplemental contributions received from the Commonwealth's General Fund for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees.

(ii) Medication Bonus (Act No. 155, as Amended by Act No. 3)

An annual bonus of \$100 for each retiree, beneficiary, and disabled member to cover health costs paid in July provided the member retired prior to July 1, 2013. Evidence of coverage is not required. This amount is prorated if there are multiple beneficiaries. This benefit is paid from the supplemental contributions received from the Commonwealth's General Fund for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees.

(10) Contributions

(a) Member Contributions

Effective July 1, 2013, contributions by members are 10% of compensation. However, for Act No. 447 members who selected the Coordination Plan, the member contributions are 7% of compensation up to \$6,600 plus 10% of compensation in excess of \$6,600 during the 2013-2014 fiscal year and 8.5% of compensation up to \$6,600 plus 10% of compensation in excess of \$6,600 during the 2014-2015 fiscal year. Members may voluntarily make additional contributions to their hybrid account.

Prior to July 1, 2013, contributions by Act No. 447 members selecting the Coordination Plan were 5.775% of compensation up to \$6,600 plus 8.275% of compensation in excess of \$6,600. Contributions by all other members were 8.275% of compensation. System 2000 members may also have voluntary contribution of up to 1.725% of compensation prior to July 1, 2013.

continue



19. PENSION PLANS – continuation

(b) Employer Contributions (Article 2-116, as Amended by Act No. 116 of 2010 and Act No. 3)

Prior to July 1, 2011, employer contributions were 9.275% of compensation. On July 6, 2011, the Commonwealth enacted Act No. 116, increasing the employers' contributions rate from 9.275% to 10.275% of employee compensation for fiscal year 2011-2012, an additional 1% annually for each of the next four years, and 1.25% annually for each of the five years thereafter, reaching an aggregate contribution rate of 20.525% effective July 1, 2020.

(c) Supplemental Contributions from the Commonwealth's General Fund, Certain Public Corporations, and Municipalities (Act No. 3)

Effective July 1, 2013, the ERS will receive a supplemental contribution of \$2,000 each fiscal year for each pensioner (including beneficiaries receiving survivor benefits) who was previously benefiting as an Act No. 447 or Act No. 1 member while an active employee. This supplemental contribution will be paid by the Commonwealth's General Fund for former government and certain public corporations without own treasuries employees or by certain public corporations with own treasuries or municipalities for their former employees.

(d) Additional Uniform Contribution (Act No. 32, as Amended)

The additional uniform contribution (AUC) will be certified by the external actuary of the ERS each fiscal year from 2014-2015 through 2032-2033 as necessary to avoid having the projected gross assets of the ERS, during any subsequent fiscal year, to fall below \$1 billion. The AUC is to be paid by the Commonwealth's General Fund, public corporations with own treasuries, and municipalities. Only a fraction of the AUC from prior years has been received by the ERS. Accordingly, the current overall AUC payment schedule is as follows:

Payment Year	Amount	Comment
FY 2016-17	\$596 million	Collective FY 2016-17 AUC
	\$180 million	Pat due and payable immediately by selected employers
	\$776 million	Total due in FY 2016-17
FY 2017-18	\$685 million	Total due in FY 2017-18
FY 2018-19 to FY 2032-33	\$685 million	Estimated amount payable annually, subject to significant change due to annual re-measurement

(11) Service Purchase

Prior to July 1, 2013, active members with eligible service from prior employment may elect to purchase service in ERS. The cost of the purchase is calculated by applying the ERS statutory contribution rates to the member's salary during the years of service at the former employer. The amount due to member contributions is accumulated at 9.5% per year (6% prior to April 4, 2013) until 6 months after the time of the service purchase request. Any amount not covered by asset transfers from the member's prior pension fund is payable by the member (Act No. 10 of 1992, Act No. 14 of 1981, Act No. 122 of 2000, Act Nos. 203 and 33 of 2007). Effective July 1, 2013, only veterans may purchase service for time spent under military service are permitted to make voluntary contributions to the Defined Contribution Hybrid Contribution Account during the years of military leave.



19. PENSION PLANS – continuation

(12) Early Retirement Programs

The Municipality implemented an early retirement program for its employees under the Act No. 224 dated August 9, 2008. The Municipality has already made the initial payment and would reimburse the remaining balance on annuities and other benefits paid by the ERS in four installments on each July 31 starting in 2009 through 2012. The Municipality was at default on the retirement plan payment, so they requested a new payment plan. The ERS Board of Trustees approved a Payment Plan for the debt balance due of the Retirement program for 24 months starting in March 2014.

On July 2, 2010, the Commonwealth Enacted Act No. 70 of 2010 (Act No. 70) establishing a program that provides benefits for early retirement or economic incentives for voluntary employment termination to eligible employees, as defined. Additional window periods occurred through December 31, 2012. Under Section 4A of Act No. 70, active members could terminate employment immediately and receive a bonus equal to one, three, or six months of salary (paid by the Commonwealth). Under Section 4B of Act No. 70, active members who had at least 15 years of service, but less than 30 years of creditable services, could retire immediately with an enhanced benefit ranging from 37.5% to 50% of salary. This enhanced benefit is paid by the General Fund for government employees and Public Corporation for their employees until the member reaches the later of age 55 or the date the member would have completed 30 years of service had the member continued working. The ERS will pay the benefit after this time period.

While the General Fund / Public Corporation is paying the pension benefit to the member or any surviving beneficiary, the General Fund / Public Corporation will also pay a contribution equal to the employer contribution rate [(12.275% for the 2013-2014 fiscal year plus the employee contribution rate for Public Corporation (currently 10%)] of final salary to the ERS. The employer contribution rate applies applied to final salary increases as under Act No. 116 to a rate of 20.525% of payroll in 2020-2021 and thereafter. Under Section 4C of Act No. 70, active members who had at least 30 years of service could retire immediately and receive a bonus equal to six months of salary (paid by Commonwealth). For any active employee who retired under Section 4C, the Public Corporation will pay a contribution equal to the employer contribution rate (12.275% for 2013-2014 fiscal year, increasing to 20.525% in 2020-2021 and thereafter) plus the employee contribution rate (currently 10%) of final salary to the ERS for five years after retirement.

The contribution requirement to the ERS is established by law and is not actuarially determined. The special benefits contributions of approximately \$229 million in 2014 mainly represent contributions from the General Fund, public corporation and municipalities for the special benefits identified above granted by special laws. The funding of the special benefits is provided to the ERS through legislative appropriations each July 1 by the General Fund for former government and certain public corporations without own treasuries employees, and by certain public corporations with own treasuries and municipalities for their former employees. The legislative appropriations are considered estimates of the payments to be made by the ERS for the special benefits. Deficiencies in legislative appropriations are covered by the ERS's own funds until recovered through future legislative appropriations. Any surplus of legislative appropriations collected over special benefits paid is combined with the assets held in trust for the payment of other pension benefits.

(13) Changes in Plan Provisions since Prior Valuation

Act No. 211-2015 is an early retirement incentive program that was passed on December 8, 2015 which was amended by Act No. 170-2016 to expand the eligible group of members. No retirements due to Act No. 211-2015 or Act No. 170-2016 have occurred as of the June 30, 2016 measurement date of this valuation. Impacts of Act No. 211-2015 and Act No. 170-2016 will be reflected in future valuation. Impacts of Act No. 211-2015 and Act No. 170-2016 will be reflected in future valuations when retirements have actually occurred, and census data is available.

continue



19. PENSION PLANS – continuation

(14) Other Postemployment Benefits (OPEB) – Healthcare Benefits

ERS Medical Insurance Plan Contribution (MIPC) is an unfunded, cost-sharing, multi-employer defined benefit other postemployment benefit plan sponsored by the Commonwealth. ERS MIPC covers a payment of up to \$100 per month to the eligible medical insurance plan selected by the member provided the member retired prior to July 1, 2013 (Act No. 483, as amended by Act No. 3). Substantially all fulltime employees of the Commonwealth’s primary government, and certain municipalities of Puerto Rico and certain component units of the Commonwealth not having their own postemployment benefit plan, were covered by the OPEB. Commonwealth employees became members upon their date of employment. Plan members were eligible for benefits upon reaching the pension benefits retirement ages.

At July 1, 2015, the membership, as adjusted by changes in participants established by Act No. 3, consisted of the following:

Membership	Amount
Retired Members	94,979
Disabled Members	<u>15,444</u>
Total Membership	<u>110,423</u>

The contribution requirement of ERS Medical Insurance Plan Contribution (MIPC) is established by Act No. 95 approved on June 29, 1963. This benefit is financed on a pay-as-you-go basis from the General Fund of the Commonwealth. Since this benefit is not funded in advance, the ARC for this benefit has been calculated based on an assumed investment return rate of 3.00% based on the asset allocation of the Commonwealth’s general assets that are used to pay this benefit.

There is no contribution requirement from the plan member during active employment. Retirees contribute the amount of the healthcare insurance premium not covered by the Commonwealth contribution. As a result, these OPEB are 100% unfunded. During the year ended June 30, 2016, OPEB contributions amounted to \$106 million.

The funding of the OPEB benefits is provided to the ERS through legislative appropriations each July 1 by the Commonwealth’s General Fund for former government and certain public corporations without own treasuries employees, and by certain public corporations with own treasuries and municipalities for their former employees. The legislative appropriations are considered estimates of the payments to be made by the ERS for the healthcare benefits throughout the year.

In accordance with GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, that replaces GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, changes similar to those implemented on GASB No. 67 *Financial Reporting for Pension Plans*, and No. 68, *Accounting and Financial Reporting for Pensions* should be made. As of June 30, 2019, the PRGERS hasn’t issued, or made available information in order to properly adjust or disclose any deferred outflows/inflows of resources, or net OPEB obligation, if any, applicable to the Municipality.



19. PENSION PLANS – continuation

Liquidity Risk and Uncertainties

ERS is a mature retirement system with a significant retiree population. Based on the statutory funding requirements, the annual benefit payments and administrative expenses paid by the ERS were significantly larger than the member and employer contributions made to the ERS. Thus, investment income must have had to be used to cover negative cash flow. If the increasing and additional contributions stipulated by law are not paid in full on an annual basis, the ERS will continue being rapidly defunded and gross assets will be exhausted. If measures are not taken to significantly increase the contributions, the ERS will become insolvent in fiscal year 2018. In addition, annual cash flow estimates for the foreseeable future are presently estimated to be insufficient to cover the ERS's obligations unless other measures are taken.

If the ERS's assets are exhausted it would be operating solely on a "pay-as-you-go" basis, which means that it would be unable to pay benefits that exceed the actual employer and employee contributions received (net of administrative and other expenses), unless the Commonwealth provides the funding required to meet the pay-as-you-go retirement benefits. Additionally, future employers' contributions have been pledged for the payment of debt service, further depletion of the ERS's assets could result in the inability to repay its bond obligations. Consequently, the ERS's funding requirements, together with the funding requirements of JRS and the Puerto Rico System of Annuities and Pensions for Teachers, could have a direct negative effect on the Commonwealth's General Funds, since the Commonwealth is the primary sponsor and is obligated to make contributions to fund each of the ERS.

The Commonwealth and the other participating employers have been facing several fiscal and economic challenges in recent years due, among other factors, to continued budget deficits, a prolonged economic recession, high unemployment, population decline, and high levels of debt and pension obligations. The widening of credit spreads for the Commonwealth's public sector debt, the continued downgrading of the Commonwealth's credit ratings and those of many of its instrumentalities to noninvestment grade categories, and the lowered-than-projected revenues have put further stain on the Commonwealth liquidity and have affected its access to both the capital markets and private sources of financing, as well as the borrowing cost of any such funding.

If the Commonwealth's financial condition does not improve as a result of fiscal and budgetary measures it is taking, its ability to repay its obligations, including its regular employer contributions to the ERS and its additional contributions as provided by Act No. 32 of June 25, 2013 (Act No. 32), for the upcoming years, may continue to be adversely affected, and could also affect the payment of benefits and the repayment of the ERS's bond payable.

To improve the liquidity and solvency of the ERS, the Commonwealth enacted Act No. 32, as amended by Act No. 244 of 2014, which provides for incremental annual contributions (Additional Uniform Contribution) from the Commonwealth's General Fund, public corporations and municipalities beginning in fiscal year 2014 and up to the fiscal year 2033. The AUC determined for fiscal year 2014 was defined as \$120.0 million and subsequent annual amounts will be determined annually based on actuarial studies to be performed by the ERS's actuaries as necessary for the ERS's gross assets to remain above \$1.0 billion. An appropriation for such AUC of approximately \$98 million was included in the Commonwealth's budget for the fiscal year 2014. However, as a result of the Commonwealth's General Fund revenue shortfall, compared to budget, the Commonwealth made certain adjustments to the fiscal year 2014 budgetary appropriations following the "priority norms" for the disbursement of public funds that apply during any fiscal year in which the resources available to the Commonwealth are insufficient to cover the appropriations approved for such year. These adjustments included the reduction in full of the portion of the Act No. 32 AUC by executive Order 29-2014.

For fiscal year 2015 and 2016, the certification of the AUC was not available at least 120 days before the commencement of the applicable fiscal year. ACT No. 32, as amended, provides that in this situation, the AUC for fiscal year will be the AUC applicable for the preceding year. Thus, the AUC determined for fiscal years 2015 and 2016 was \$120 million.



19. PENSION PLANS – continuation

Timely payment of the AUC is a critical component of the reform in order for the ERS to be able to make payments as they come due without depleting all its assets first. However, as a result of continued budget deficits in fiscal years 2014 and 2015, the Commonwealth and other participating employers have been unable to make the AUC required in full for these fiscal years (other than \$34.4 million paid by municipalities and public corporations for fiscal year 2014 and \$22.7 million paid by the Commonwealth and \$37.1 million paid by public corporations and municipalities for fiscal year 2015). In February 2016, the ERS's actuaries recalculated the AUC for fiscal year 2017 and subsequent years. Based on certain assumptions (which do not account for any fiscal adjustment that the Commonwealth may undertake to address its fiscal challenges), the projected AUC for fiscal year 2017 and subsequent years was approximately \$596.0 million (of which approximately \$370.0 million corresponds to the Commonwealth, to be funded from its General Fund, and the remaining portion corresponds to the participating public corporations and municipalities).

Remediation Plan

To improve the liquidity and solvency of the ERS, on July 6, 2011, the Commonwealth enacted Act No. 116 increasing the employers' contribution rate from 9.275% to 10.275% of employee compensation for the 2011-2012 fiscal year, an additional 1% annually for each of the next four years, and 1.25% annually for each of the five years thereafter, reaching an aggregate contribution rate of 20.525% effective July 1, 2020.

On April 4, 2013, the Legislature enacted Act No. 3 which amended the Act No. 447, Act No. 1, and Act No. 305. Act No. 3 reformed the ERS by, among other measures, reducing benefits, increasing employee contributions, and, in the case of active employees who were entitled to the defined benefits program, replacing most of the defined benefits program, replacing most of the defined benefit elements with a defined contribution structure. The reform intended to address the Commonwealth's future cash flow needs and "pay-as-you-go" requirement, while recognizing that the ERS would become insolvent. As such, the reform was intended to provide enough cash for the ERS to be able to pay benefits (as amended through the reform) and debt service on the pension obligation bonds, while maintaining projected ERS gross assets at no less than \$1.0 billion at all times.

To achieve this goal, the reform contemplated that the Commonwealth and other participating employers would have to provide additional annual funding above the statutorily prescribed contributions as required by Act No. 32. As a long-term plan, it was recognized that constant monitoring would be required to ensure that the ERS remained on track to meet the reform's goals. The receipt of the additional uniform contribution of Act No. 32 is critical to the ERS's ability to make payments as they become due.

Act No. 3 established a contribution hybrid program (the Contribution Hybrid Program) like the System 2000 program that will eventually result in all active and retired members participating in a member-funded hybrid program. Act No. 3 froze all retirement benefits accrued through June 30, 2013 under Act No. 447 and Act No. 1 (defined benefit program), and thereafter, all future benefits will accrue under the defined contribution formula used for the System 2000 program participants. Ceasing future defined benefit accruals under Act No. 447 and Act No. 1 and converting to a member-funded hybrid plan will result in lower benefit payments as these tiers wind down and will make all future employer contributions available to pay benefits and bonds payable debt service. Act No. 3 incorporates the provisions of the Defined Contribution Hybrid Program and System 2000 in Chapter 5 of the ERS.

Participants in the defined benefit program who as of June 30, 2013 were entitled to retire and receive a pension, may retire on any later date and will receive the annuity corresponding to their retirement program, as well as the annuity accrued under the Defined Contribution Hybrid Program. Participants who as of June 30, 2013 were not entitled to retire can retire depending on the new age limits defined by the Defined Contribution Hybrid Program and will receive the annuity corresponding to their retirement program, as well as the annuity accrued under the Defined Contribution Hybrid Program.

continue



19. PENSION PLANS – continuation

Participants in the System 2000 program who as of June 30, 2013 had reached the age of 60 may retire on any later date and will receive the annuity corresponding to their retirement program, as well as the annuity accrued under the Defined Contribution Hybrid Program. Participants in the System 2000 program who as of June 30, 2013 had not reached the age of 60 can retire depending on the new age limits defined by the Defined Contribution Hybrid Program and will receive the annuity corresponding to their retirement program, as well as the annuity accrued under the Defined Contribution Hybrid Program.

In addition, Act No. 3 amended the provisions of the different benefit structures under the ERS including, but not limited to, the following:

- Retirement age – The retirement age for the frozen accrued benefits of Act No. 447 is gradually increased from age 58 to age 61, and from age 60 to age 65 for System 2000 program members, which results in a delay in cash outflow and thus lower cumulative future benefit payments to these members. Reduced early retirement was eliminated for Act No. 1, which also results in a delay in cash outflow. The retirement age for new employees was increased to age 67.
- Member contributions – The prior member contribution rate of 8.275% (varying for some members) is increased to 10% of pay. While this will result in higher hybrid program benefits in the future, it will provide more assets in the near term that can support current benefit payments and bonds payable debt service.
- Mandated annuitization – System 2000 program notional accounts were available as lump sum payments at termination/retirement. With a full cohort of active System 2000 program members completing careers at roughly the same time that bonds payable principal payments begin, lump sum payments would have had a deleterious effect on the System's assets. Act No. 3 hybrid accounts, which include the System 2000 program accounts, are subject to mandatory annuitization, which will benefit the System on a cash flow basis by stretching out payments over time, thus providing the System "catch-up" time. The ERS has the authority for determining the annuitization factors and for updating the factors in future years.
- Survivor benefits – Act No. 447 and Act No. 1 offered survivor benefits at no cost to the retiree. For future retirees, the defined benefit portion of the Act No. 447 or Act No. 1 frozen annuity and the hybrid program Act No. 3 annuity with a survivor benefit, resulting in lower future cash outflow.
- The occupational death benefit and the one year of salary death benefit were eliminated for Act No. 447 and Act No. 1 members, resulting in lower future cash outflow.
- Disability benefits, other than those provided under Law No. 127, were eliminated, resulting in lower future cash outflow. (A member who becomes disabled may receive their hybrid account balance and their accrued benefit if applicable under Act No. 447 or Act No. 1.)
- Special law benefits are reduced for current retirees and eliminated for future retirees. The Christmas bonus payable to current retirees was reduced from \$600 to \$200. The summer bonus was eliminated. The employers will continue making contributions to the ERS as if all special law benefits were still in place for current and future Act No. 447 and Act No. 1 retirees, which will result in additional cash that can be used for benefit payments and bonds payable debt service.
- Minimum benefits – The minimum pension payable was increase from \$400 to \$500 per month for current retirees only.
- Merit Annuity – The "Merit Annuity" available to participants who joined the ERS prior to April 1, 1990 was eliminated.

continue



19. PENSION PLANS – continuation

Other measures taken to improve the liquidity of the ERS include, among others, 1) revision of the personal loan policy by limiting personal and cultural loan amounts to \$5,000 each, from \$15,000 and \$10,000, respectively; and 2) the receipt of a special contribution from the Commonwealth that was invested in junior subordinated capital appreciation bonds issued by the Puerto Rico Sales Tax Financing Corporation (the COFINA Bonds).

The successful implementation of these measures cannot be assured, as it is dependent upon future events and circumstances whose outcome cannot be anticipated.

Pension Liabilities, Pension Expenses, and Deferred Outflows/Inflows of Resources Related to Pensions

(1) Net Pension Liability

Effective July 1, 2014, the Municipality implemented the provisions of GASB Statement No. 68, *Accounting and Financial Reporting for Pensions – an amendment of GASB Statement No. 27*, and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date-an amendment of GASB Statement No. 68*, which significantly changed the Municipality’s accounting for pension amounts. The information disclosed below is presented in accordance with these new standards. The Municipality’s net pension liability was measured as of June 30, 2016, later audited financial information. The total pension liability used to calculate the net pension liability was determined by an actuarial valuation as June 30, 2016.

The Municipality Net Pension Liability for each plan program is measured as the proportionate share of the Net Pension Liability. As previous mentioned, the Net Pension Liability of each of the plan program was measured as of June 30, 2016, and the Total Pension Liability for each plan program used to calculate the Net Pension Liability was determined by an actuarial valuation as of June 30, 2015, calculated based on the discount rate and actuarial assumptions and was then projected forward to June 30, 2016. The Municipality’s proportion of the Net Pension Liability was based on a projection of the Municipality’s long-term share of contributions to the pension plans program relative to the projected contributions of all participating employers, actuarially determined.

As June 30, 2018, the Municipality’s used the proportional share of 0.62621%, which was the June 30, 2017 base as required by GASB No. 68. The Municipality’s proportionate share of the Net Pension Liability used was as follows:

Proportion - June 30, 2016	0.61548%
Proportion - June 30, 2017	<u>0.62621%</u>
Change - Increase (Decrease)	<u>0.01073%</u>

At June 30, 2017, the Municipality's proportionate share of the Net Pension Liability for each plan was as follows:

	Proportionate Share of Net Pension Liability
Act Number 447	\$ 172,399,284
Act Number 1	40,421,978
Act Number 305	<u>23,253,576</u>
Total Net Pension Liability	<u>\$ 236,074,839</u>

continue



19. PENSION PLANS – continuation

As June 30, 2018, the Municipality reported \$236,074,839 (June 30, 2017 base) as Net Pension Liability for its proportionate shares of the Net Pension Liability of ERS.

Net Pension Liability	June 30, 2017	
	Total	Proportional Share (0.62621%)
Total Pension Liability	\$ 36,432,873,000	\$ 228,147,692
Fiduciary Net Position (Deficit)	(1,265,885,000)	(7,927,147)
Net Pension Liability	\$ 37,698,758,000	\$ 236,074,839
Plan's Fiduciary Net Position (Deficit)	-3.47%	-3.47%
Covered Payroll	\$ 3,344,382,000	\$ 20,942,983
Net Pension Liability as a % of Covered Payroll	1127.23%	1127.23%

(2) Pension Expense

For the fiscal year ended June 30, 2019, the Municipality recognized pension expense of \$6,915,805. Pension expense represents the change in the net pension liability during the measurement period, adjusted for actual contributions and the deferred recognition of changes in investment gain/loss, actuarial gain/loss, actuarial assumptions or method, and plan benefits.

(3) Deferred Outflows/Inflow of Resources

As of June 30, 2019, the Municipality reported Deferred Outflows of Resources and Deferred Inflows of Resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Pension contributions subsequent to measurement date	\$ -	\$ -
Differences between actual and expected experience	193,010	3,240,935
Changes in assumptions	36,008,696	-
Change in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions	6,949,957	-
Net differences between projected and actual earnings on plan investments	-	1,277,363
Total	\$ 43,151,663	\$ 4,518,298

Deferred outflows of resources and deferred inflows of resources above represent the unamortized portion of changes to net pension liability to be recognized in future periods in a systematic and rational manner.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

continue



19. PENSION PLANS – continuation

Year Ended		Amount
June 30,		
2018	\$	(7,726,673)
2019		(7,726,673)
2020		(7,726,673)
2021		(7,726,673)
2022		(7,726,673)
Thereafter		-
Total	\$	<u>(38,633,365)</u>

Actuarial Methods and Assumptions

There have been no significant changes between the valuation date of July 1, 2015 and the fiscal year end. For this year, the June 30, 2015 census data used in the prior valuation is also used as the July 1, 2016 census data for the current valuation. The liability results as of June 30, 2016, were based on projecting the ERS obligations determined as of the census data collection date of July 1, 2015 for one year, using roll-forward methods and assuming no liability gains or losses.

Actuarial valuations of ERS involves estimates of the reported amount and assumptions about probability of occurrence of events far into the future. Examples include assumptions about future employment mortality and future salary increases. Amounts determined regarding the net pension liability are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

For purposes of converting the Defined Contribution Hybrid Contribution Account to a lifetime annuity, the current factors adopted by the Board are the single life annuity factors using an interest rate of 4% and the RP-2000 Healthy Annuitant Mortality Table for ages 50 and over and the RP-2000 Employee Mortality Table for ages under 50, projected to 2025 using Scale AA and blended 50% male / 50% female.

A summary of the actuarial assumptions and methods used to calculate the total pension liability as of June 30, 2016 is provided below, including any assumptions that differ from those used in the June 30, 2015 actuarial valuation. Total pension liability represents the portion of the actuarial present value of projected benefit payments attributable to past periods of service for current and inactive employees.

The actuarial valuation used the following actuarial assumptions:

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19. PENSION PLANS – continuation

Actuarial Assumptions:	
Inflation	2.5%
Investment Rate of Return	6.55%, Net of Pension Plan Investment, Including Inflation
Municipal Bond Index	2.85%, as per Bond Buyer General Obligation 20 — Bond Municipal Bond Index
Discount Rate	2.85%
Projected Salary Increases	3.00% per year. No compensation increases are assumed until July 1, 2017 as a result of Act No. 66 and the current general economy.
Mortality	<p>Pre-retirement Mortality:</p> <p>For general employees not covered under Act No. 127, RP-2014 Employee Mortality Rates for males & females adjusted to reflect Mortality Improvement Scale MP-2016 from the 2006 base year, and projected forward using MP-2016 on a generational basis. For members covered under Act 127, RP-2014 Employee Mortality Rates with blue collar adjustments for males and females adjusted to reflect Mortality Improvement Scale MP-2016 from the 2006 base year, and projected forward using MP-2016 on a generational basis. As generational tables, they reflect mortality improvements both before and after the measurement date. 100.0% of deaths while in active service are assumed to be occupational for members covered under Act No. 127.</p> <p>Post-retirement Healthy Mortality:</p> <p>Rates which vary by gender are assumed for healthy retirees and beneficiaries based on a study of plan experience from 2007 to 2012 and updated expectations regarding future mortality improvement. The 2010 base rates are equal to 92% of the rates from the UP-1994 Mortality Table Males and 95% of the rates from the UP-1994 Mortality Table Females, both projected from 1994 to 2010 using Scale AA. These base rates are projected using Mortality Improvement Scale MP-2016 on a generational basis. As a generational table, it reflects mortality improvements both before and after the measurement date.</p> <p>Post-retirement Disabled Mortality:</p> <p>Rates which vary by gender are assumed for disabled retirees based on a study of plan's experience from 2007 to 2012 and updated expectations regarding future mortality improvement. The 2010 base rates are equal to 105% of the rates from the UP-1994 Mortality Table Males and 115% of the rates from the UP-1994 Mortality Table Females, both projected from 1994 to 2010 using Scale AA. These base rates are projected using Mortality Improvement Scale MP-2016 on a generational basis. As a generational table, it reflects mortality improvements both before and after the measurement date.</p>

This valuation also reflects a salary freeze until July 1, 2017 due to Act No. 66 of 2014. While the Act No. 66 salary freeze only applies to Central Government employees, public corporations are mandated to achieve savings under Act No. 66, and actuaries have assumed that they will meet this mandate by freezing salaries. Also, while municipalities are not impacted by Act No. 66, the actuaries have also assumed the salary freeze for these employees due to the current economic conditions in Puerto Rico.

Most other demographic assumptions used in the July 1, 2013 valuation were based on the results of an actuarial experience study using data as of June 30, 2003, June 30, 2005 and June 30, 2007.

Long-Term Expected Rate of Return

The valuation reflects no change in the investment return assumption of 6.55% per year for GASB No. 68 purposes. The 6.55% assumption reflects the asset allocation for the non-loan of the portfolio that was adopted by the Board during December 2013 as shown below and Milliman's capital market assumptions as of June 30, 2016. In addition, the assumption reflects that loans to members comprise approximately 20% of the portfolio and, as provided by the ERS, have an approximate return of 9.1% with no volatility.



19. PENSION PLANS – continuation

Asset Class	Target Allocation	Long-Term Expected Rate of Return
Domestic Equity	25%	6.4%
International Equity	10%	6.7%
Fixed Income	64%	6.3%
Cash	1%	3.0%
Total	<u>100%</u>	

Please note that the investment return assumption of 6.55% per year is equal to the highest debt service of the Pension Obligation Bonds. The debt service on the Pension Obligation Bonds ranges from 5.85% to 6.55%.

Under the prior GASB Nos. 25/27, the investment return assumption was used to discount all projected Basic System Pension Benefits and System Administered Pension Benefits to determine the Actuarial Accrued Liability. Under GASB No. 67, the investment return assumption is an input that is used in the calculation of the single equivalent interest rate that is used to discount these benefits to determine the Total Pension Liability. As a result of no change in the investment return assumption, the assumed investment return on the Defined Contribution Hybrid Contribution Accounts (80% of the net investment return assumption) remains at 5.24%.

The projected mortality improvement scale was updated from Scale MP-2015 to Scale MP-2016, which was published by the Society of Actuaries in October 2016. The valuation also reflects a salary freeze until July 1, 2021 due the Act No. 3-2017, four-year extension of Act No. 66-2014. Act 66-2014 mandates a salary freeze only for Central Government employees and mandates savings for public corporations. Due to the Act No. 66-2014 required saving for public corporations and the current economic conditions in Puerto Rico, the salary freeze has also been assumed for public corporation and municipal employees.

Illiquid Assets

The Act No. 32 AUC calculation is based on the objective of maintaining a \$1.0 billion gross asset buffer at all times. It is important to note that a material portion of ERS assets are illiquid in nature. Thus, if the Act No. 32 AUC is not paid in full and the \$1.0 billion buffer is not maintained, the ERS will run into liquidity issues and may be forced to sell illiquid assets, potentially at significant loss to the further detriment of the ERS. As of June 30, 2016, ERS had approximately \$771 million in illiquid assets, comprised primarily of loans to ERS members and the COFINA investment. This projection assumes that these illiquid assets will be converted to liquid assets when needed.

The Total Pension Liability was determined by an actuarial valuation as of July 1, 2016, calculated based on the discount rate and actuarial assumptions, and was then projected forward to June 30, 2016. There have been no significant changes between the valuation date of July 1, 2014 and the fiscal year end. Any significant changes during this period must be reflected as prescribed by GASB No. 67. Covered Payroll is as of July 1, 2015.

Discount Rate

The asset basis for the date of depletion projection is the ERS's fiduciary net position (the gross assets plus deferred outflows of resources less the gross liabilities, including the senior pension funding bonds payable, plus deferred inflows of resources). On this basis, the ERS's fiduciary net position was exhausted in the fiscal year 2015.

continue



19. PENSION PLANS – continuation

The ERS’s fiduciary net position was not projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the single equivalent rate that result in the same actuarial present value as the long-term expected rate of return applied to benefit payments, to the extent that the ERS’s fiduciary net position is projected to be sufficient to make projected benefit payments, and the municipal bond rate applied to benefit payments, to the extent that the ERS’s fiduciary net position is not projected to be sufficient.

The discount rate at June 30, 2015 and 2016, was as follow:

	June 30, 2015	June 30, 2016
Discount Rate	3.80%	2.85%
Long-term expected rate of return net of investment expense	6.55%	6.55%
Municipal bond rate *	3.80%	2.85%
* Bond Buyer General Obligation 20-Bond Municipal Bond Index		

As directed by the ERS, the asset basis for the date of depletion projection is the ERS’s net assets (the gross assets less the Pension Obligation Bond proceeds). On this basis, net assets were exhausted in the 2014-2015 fiscal year and no projection was needed to be performed as of June 30, 2016, as the tax-free municipal bond index applies in all years and is thus the single equivalent interest rate that is used as the discount rate in the determination of the Total Pension Liability. The actuarial report does not include any amounts from the AUC required by Act No. 32 because of actual fiscal and budgetary financial difficulties, continued budget deficits and liquidity risks of the Commonwealth and the municipalities, and if their financial condition does not improve in the near term.

According to Paragraph 30 of Statement 68, the long-term discount rate should be determined without reduction for pension plan administrative expense. Using this lower discount rate has resulted in a slightly higher Total Pension Liability and Net Pension Liability.

Changes in Net Pension Liability	Increase (Decrease)			
	Total Pension Liability	Plan Fiduciary Net Position	Net Pension Liability	Proportional Share
Balance as of June 30, 2015	\$ 32,669,162,000	\$ (668,272,000)	\$ 33,337,434,000	\$ 208,763,626
Changes for the year:				
Service Cost	496,732,000	-	496,732,000	3,110,605
Interest on Total Pension Liability	1,230,843,000	-	1,230,843,000	7,707,709
Effect of Plan Changes	-	-	-	-
Effect of Economic/Demographic (Gains) or Losses	(252,405,000)	-	(252,405,000)	(1,580,595)
Effect of Assumptions Changes or Inputs	3,853,693,000	-	3,853,693,000	24,132,359
Benefits Payments	(1,565,152,000)	(1,565,152,000)	-	-
Administrative Expenses	-	(27,670,000)	27,670,000	173,273
Other Expenses	-	(32,761,000)	32,761,000	205,154
Costs of Bonds	-	(196,211,000)	196,211,000	1,228,700
Member Contributions	-	333,633,000	(333,633,000)	(2,089,256)
Net Investment Income	-	111,071,000	(111,071,000)	(695,542)
Employer Contributions	-	779,477,000	(779,477,000)	(4,881,194)
Balance as of June 30, 2016	\$ 36,432,873,000	\$ (1,265,885,000)	\$ 37,698,758,000	\$ 236,074,839

continue



19. PENSION PLANS – continuation

ERS is scheduled to review all actuarial assumptions as part of its regular Asset Liability Management (ALM) review cycle that is scheduled to be completed in February 2018. Any changes to the discount rate will require Board action and proper stakeholder outreach. For these reasons, ERS expects to continue using a discount rate net of administrative expenses for GASBS's 67 and 68 calculations through at least the 2017-2018 fiscal year. ERS will continue to check the materiality of the difference in calculation until we have changed our methodology.

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents the Municipality's proportionate share of the Net Pension Liability, calculated using the discount rate, as well as what the Municipality's proportionate share of the Net Pension Liability would be if it were calculated using a discount rate that is 1 – percentage point lower or 1 – percentage point higher than the current rate:

	1% Decrease 1.85%	Current Discount Rate 2.85%	1% Increase 3.85%
Total Pension Liability	\$ 262,841,368	\$ 228,147,692	\$ 199,900,014
Fiduciary Net Position	(7,927,147)	(7,927,147)	(7,927,147)
Net Pension Liability	<u>\$ 270,768,515</u>	<u>\$ 236,074,839</u>	<u>\$ 207,827,161</u>

Payable to the Pension Plan

At June 30, 2019, the Municipality reported a payable of \$7,641,640 for the outstanding amount of contributions to the pension plan required for the year ended June 30, 2019.

Fiscal Plan for Puerto Rico

The Fiscal Plan for Puerto Rico was approved by the Oversight Board of PROMESA (see Note 28) on March 13, 2017. The approval was conditioned on the Puerto Rico government and the Board reaching an agreement to reduce benefit payments of the following systems by 10% in the aggregate:

- Puerto Rico Government Employees Retirement System
- Puerto Rico Judiciary Retirement System
- Puerto Rico Teachers Retirement System

The details of the reduction methodology, which will determine how the reductions impact each system, are not final at this time. A multi-year delay in implementation is also anticipated. These potential reductions are not reflected in the June 30, 2016 valuation. Also, note that the Fiscal Plan does not anticipate future payment of the Act 3-2013 AUC (shown earlier as \$776 million for fiscal year 2016-2017 and \$685 million per year for fiscal years 2017-2018 through 2032-2033) contained in current law. Rather, the Fiscal Plan anticipates that ERS will be funded on a pay-as-you-go basis once assets are exhausted.

Pay-As-You-Go Funding

On June 27, 2017, the Treasury Department issued Circular Letter No. 1300-46-17 in order to convey to the central government agencies, public corporations and municipalities the new implementation procedures to adopt, effective July 1, 2017, a new "pay-as-you-go" (Pay-Go) mechanism for the ERS.

continue



19. PENSION PLANS – continuation

Subsequently, on August 23, 2017, the Governor signed into law the “Act to Guarantee the Payment to Our Pensioners and Establish a New Plan for Defined Contributions for Public Servants” (Act No. 106), which reformed the Commonwealth Retirement Systems. Act No. 106 terminated the previously existing pension programs for the ERS’s participants as of June 30, 2017. The members of the prior programs and new system members hired on and after July 1, 2017 are now enrolled in a new defined contributions program. Act No. 106 also established by law the Pay-Go mechanism for the payment of accumulated pension benefits and eliminated employers’ contributions and other analogous contributions. Approximately \$2 billion was allocated for the payment of Pay-Go benefits in each of the budgets for fiscal years 2018 and 2019.

Furthermore, Act No. 106 modified the ERS’s governance. Under Act No. 106, the ERS’ Board of Trustees was substituted with a new Retirement Board, which is currently responsible for governing all of the Commonwealth’s Retirement Systems.

Act No. 106 also ordered a suspension of the ERS’s loan programs and ordered a merger of the administrative structures of the retirement systems. At the Retirement Board’s discretion, the servicing of the ERS’s existing loan portfolio may be externalized. Pursuant to Act No. 106, the employees of the ERS that are not retained under the new administrative structure will be transferred to other public agencies in conformity with Act No. 8 of February 8, 2017.

At a basic level, ERS will need to hold some level of operating cash to account for any ongoing timing issues between receipt and disbursement of funds. The “pay-go” funding needed in a given year is the difference between actual contributions and actual disbursements:

- Contributions to ERS are primarily based on statutory percentage of payroll.
- Disbursements are comprised of benefit payments, administrative expenses, and Pension Obligation Bond debt service.

Contributions and disbursements will experience natural variation due to emerging demographic experience. Contributions and disbursements can also be greatly impacted by specific management decisions, such as an early retirement incentive program or other workforce reduction. A major issue that needs to be addressed by ERS and the Commonwealth is determining what the process of ERS budgeting for “pay-go” funding will be. While the ERS can set an expected “pay-go” amount at the time of budgeting for an upcoming fiscal year, both actual contributions and disbursements can vary from expectations during the fiscal year.

- If the budget is set based on expected contributions and disbursements, in the event of adverse experience during the fiscal year, should provide for additional funds from the sponsoring employers.
- If the ERS be permitted to develop a budget request of a “pay-go” amount for the fiscal year that includes a margin to provide a buffer against adverse outcomes.
- And how would the impacts of specific management decisions be handled.

There are certainly many more operational details to be considered. “Pay-go” operation is a complex issue that requires careful thought and planning, constant monitoring, and the ability to respond to emerging events quickly.



19. PENSION PLANS – continuation

Pension Plan Fiduciary Net Position

As per June 30, 2016 Actuarial Valuation Report issued on November 7, 2017, the Actuaries state: **“PRGERS net assets became negative in the 2014-2015 fiscal year. If the increasing Act 116-2011 employer contributions, the Supplementary Contribution under Act 3-2013, and the Additional Uniform Contribution under Act 32-2013 (as amended by Act 244-2014) are not paid in full on an annual basis, PRGERS will continue being rapidly defunded and gross assets will be exhausted.”**

The Employee’s Retirement System of the Government of the Commonwealth of Puerto Rico provides additional information of the Defined Benefit Program and Hybrid Program. They issue a publicly available financial report that includes financial statements and required supplementary information for ERS, as a component unit of the Commonwealth. That report may be obtained by writing to the Administration at PO Box 42003, Minillas Station, San Juan, PR 00940-2003.

B. Pension Plan of Defined Contributions of the Head Start Program of the Autonomous Municipality of Caguas Money Purchase Plan

Effective January 1, 2002, the Municipality created a retirement plan Head Start Program of the Autonomous Municipality of Caguas Money Purchase Plan (the Plan) for all employees of whose salaries were funded with the Head Start Program and which have at least one year of service and are age twenty-one or older. The Plan is part of the Popular Master Defined Contribution Retirement. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA) and Sections 1081.01 (a) of the Puerto Rico Internal Revenue Code of 2011, as amended. Popular Bank of Puerto Rico serves as the Plan Trustee.

The Municipality is required to contribute three percent (3%) of the employees’ annual compensation. The Municipality complied with this required contribution percentage for the current and past two years. Participants may contribute based on after tax contributions amounts representing up to ten percent (10%) of the aggregate compensation paid to the employee, excluding the Christmas Bonus.

Participants are immediately vested in their contributions plus actual earnings thereon. Vesting is based on years of continuous service. At June 30, 2015 the Plan has 400 active participants. The participant vesting schedule on such portion of their accounts is described below:

<u>Completed years of service</u>	<u>Vested percent</u>
Less than 3 years	0%
At least 3 years	20%
At least 4 years	40%
At least 5 years	60%
At least 6 years	80%
At least 7 years	100%

The vesting provisions consider years of service before the employer established this Plan.

On termination of service due to death, disability or retirement, a participant or beneficiary may elect to receive a lump-sum amount equal to the value of the participants vested interest in his/her account, or maintain the funds in the Plan. Also, ten years’ annuities are allowed under the plan. The normal retirement age is the latter of the date a participant attains his 65th birthday or the fifth anniversary of the first day of the plan year in which he/she commenced participation in the Plan. Early retirement distributions are not permitted. Under the provisions of the Plan, participants are not permitted to withdraw any amount contributed by the employer from the plan, unless separated from employment.



19. PENSION PLANS – continuation

Total contributions to the Plan for fiscal year ended December 31, 2015 (the last available financial information) were \$194,222 (Sponsor) and benefits paid were \$144,200. Investment revenues were \$62,871 and net appreciation in fair value of investments were \$11,257, for a net increase in Plan Assets of \$50,202. As of December 31, 2015, the Net Fund Assets of the Plan is \$2,465,142.

Additional information on the Plan is provided in its financial statements for the year ended December 31, 2014, a copy of which can be obtained from in this report or requests for additional information should be directed to: Autonomous Municipality of Caguas, Office of the Mayor, P.O. Box 907, Caguas, Puerto Rico, 00726-0907, or <http://www.caguas.gov.pr>.

20. COMMITMENTS

Construction and Improvement Commitments

<u>Fund</u>	<u>Encumbered For</u>	<u>Amount</u>	<u>Reported within Fund Balance</u>
Capital Projects Fund	Construction of Retaining Wall in Bo. Villa Coqui	\$ 33,336	Restricted for Infrastructure Improvement
	Construction of Community Center Bairoa 25	374,373	Restricted for Building and Facilities
	Roof waterproofing of City Hall Building	40,969	Restricted for Building and Facilities
	Improvements to "Complejo Deportivo del Este"	118,647	Restricted for Infrastructure Improvement
	Total	<u>\$ 567,325</u>	

Operating Leases

The Municipality leases various properties and equipment under operating lease agreements, which generally have terms of one year or less and are automatically renewed if sufficient funds are available. Lease agreements covering periods in excess of one-year are cancelable at the Municipality's option upon 30 days written notice to the lesser. Expenditures for the year ended June 30, 2019 amounted to approximately \$903,280.

Future operating lease commitments are scheduled as follows:

<u>Operating Leases</u>	
<u>Fiscal Year</u>	<u>Amount</u>
2020	\$ 1,162,695
2021	813,560
2022	577,828
2023	231,509
2024	715
Total	<u>\$ 2,786,307</u>

Solid Waste Disposal Contract

The Municipality formalized a contract for the recollection and disposal and management of solid waste with a private entity (the Company). The original contract was amended effective July 1, 2014 for the following services and is due on December 31, 2021. Such contract requires the Municipality to pay the Company \$11.50 per unit served. The contract provides for a minimum of 45,500 units served. Also, the fee paid to the Company will increase annually by five percent (5.0%) until December 31, 2021. Vegetable material requires the Municipality to pay the Company \$9.99 per cubic yard with an annual increase of two-point five percent (2.5%).

continue



20. COMMITMENTS – continuation

In addition, the Municipality is agreed to pay an additional \$32.00 per tons of solid waste that the Municipality transports and deposits in the Company’s recollection center for processing. The fee is also subject to an annual increase of two-point five percent (2.5%). The Municipality is agreed to pay an additional \$25.00 per tons of solid waste that the Municipality transports and deposits directly in landfill facilities by the Municipality. The fee is also subject to an annual increase of two-point five percent (2.5%).

The Municipality received royalty of \$2.21 per tons for direct private collection in the recollection facilities. The royalty is also subject to an annual increase of three percent (3%). The Company also should collect recyclable material in 28,561 units for \$3.24 per unit. The fee is also subject to an increase to \$3.33 in fiscal year 2019, \$3.43 in fiscal year 2020, and \$3.54 in fiscal year 2021.

Expenditures for the year ended June 30, 2019 for this service under the terms of this contract amounts to approximately \$8.9 million.

Future commitments under the terms of this contract are estimated as follows:

Solid Waste Disposal Contract	
Fiscal Year	Amount
2020	\$ 16,515,757
2021	16,515,757
2022	<u>8,257,879</u>
Total	<u>\$ 41,289,393</u>

Other Commitments

At June 30, 2019, the non-major Special Revenue Funds had a deficit of \$695,650 as follows: Housing Funds \$6,382, Social & Welfare Activities Fund \$52,851, and Economic Development Activities Fund \$635,941. The deficits resulted from the accrual of expenditures without accruing intergovernmental and federal revenues for reimbursement of expenditures. As required by current standards, the Municipality recorded intergovernmental and federal revenues for reimbursement-based (expenditure-driven) grants on GFFS when all applicable eligibility requirements have been met and the resources are available. Any amount not covered by the corresponding award will be covered with future budgetary appropriations of the general fund, if necessary.

The Municipality has entered into various agreements to provide professional and consulting services, health services, repairs and maintenance of facilities, marketing and other miscellaneous services to its constituents.

Contributions to Nonprofits Corporations

Act No. 137 of August 9th, 2002 amended Article 17.001 and added Article 17.016 to the 1991 Autonomous Municipalities Law No. 81 of the Commonwealth of Puerto Rico. This amendment authorizes Municipalities “to be part of, participate, support and sponsor nonprofit organizations under the General Law of Corporations of 1995, as amended, and as long as it is organized to promote economic and cultural development or social improvement of a municipality or region of which the municipality is part of and the corporation counts with the participation and engagement of, in addition of the municipalities, the different sectors composed of higher level educational institutions and industrial and commercial enterprises, including associations grouping businesses and industries. Municipalities’ participation on the Board of Directors cannot exceed 1/3 of the total members”.



20. COMMITMENTS – continuation

Under this Article, the Autonomous Municipality of Caguas, participates in various forms with (1) Corporación de Bellas Artes de Caguas (COBAC); (2) Corporación de Salud Aseguradora por Nuestra Organización Solidaria, Inc. (SANOS); (3) Corporación de Conservación Etnoecológica Criolla, Inc. (CCECI); (4) Iniciativa Tecnológica Centro-Oriental, Inc. (INTECO); (5) Banco de Desarrollo Centro Oriental, Inc. (BADECO); (6) Centro Criollo de Ciencia y Tecnología del Caribe, Inc. (C3TEC); (7) Alianza Municipal Servicios Integrados (AMSI); and (8) Corporación Juvenil para el Desarrollo de Comunidades Sostenibles (CJDSC).

On October 8, 2004 representatives of the Municipality and COBAC signed a 15-year lease contract, transferring the operations of the Fine Arts Center (FAC) to COBAC effective July 1, 2004 for a \$1,000 annual rental fee payable to the Municipality. In addition, the Municipality is scheduled to make annual contributions for 5 years at par with the commitments that each representative on the Board has agreed to contribute. Subsequently, COBAC would obtain and provide the financial resources necessary for its operations from resources other than the Municipality. Finally, the Municipality's representation on the Board of Directors is 4 out of 17 members, or 24% of the voting power. During this fiscal year the Municipality contributed \$321,107.

On July 1, 2006 representatives of the Municipality and SANOS signed a 5-year lease contract for the facilities where SANOS is currently located for a \$1 annual fee payable to the Municipality. More recently, during the fiscal year 2018-2019 the Municipality contributed \$386,100 to SANOS for education and drug prevention services.

On April 18, 2007 representatives of the Municipality and CCECI signed a 10-year lease contract for the land and facilities comprising the Caguas Botanical and Cultural Garden for an annual fee of \$1,000 effective April 18, 2007. The Municipality agreed to contribute (1) operation funds for \$500,000 for each fiscal year 2007-2008 and 2008-2009; \$350,000 for fiscal years 2009-2010 and 2010-2011; \$350,000 for fiscal year 2011-2012; (2) payment of utilities corresponding to the land and facilities included in the contract; (3) payment of the applicable insurance policies as the owner of the land and facilities; and (4) remaining funds assigned to the development of the Garden in the various dependencies/departments within the Municipality until June 30, 2007. During the fiscal year 2018-2019, the Municipality made contributions to CCECI for a total of \$217,857 to cover operating expenses. In addition, in fiscal year 2015-2016, CCECI entered in a loan agreement with BADECO in the amount of \$100,000, with an outstanding balance at June 30, 2019 of \$62,695.

On September 3, 2003 representatives of the Caguas and other Municipalities signed a contractual agreement with INTECO to contribute funds; property; social, human, physical and technological capital from time to time. After the initial contribution, each Municipality would contribute approximately \$1 per person annually according to the most recent Census available. The Municipality of Caguas and INTECO have and will enter into contractual agreements for specific projects from time to time. Finally, the Municipality's representation on the Board of Directors does not exceed the 1/3 of the total members. During fiscal year, the Municipality contributed \$1,362,475 to cover operating expenses.

On July 1st, 2010, Banco de Desarrollo Centro Oriental, Inc. (BADECO) came to its existence as the only Regional Community Bank in Puerto Rico. BADECO is a nonprofit organization created and funded by the Autonomous Municipality of Caguas (MAC) as a spinoff of what was known for 27 years as the Community Development Bank of Caguas.

Out of this affiliation, BADECO administers for the MAC the loan programs that were not able to be transferred due to their nature of their funding, which came from Federal Government agencies, such as business loan fund granted by the Economic Development Administration (EDA) and the Energy Efficiency Loan fund for home owners granted by the Federal Department of Energy (DOE). BADECO reports to the MAC the programs performance and holds all the documentation regarding such programs. These programs are audited yearly by the MAC and are also open to audit procedures for the funding agencies. During fiscal year 2017-2018, BADECO made a loan in the amount of \$86,000 from cash deposit in the Bank, in addition, during this fiscal year, another loan was made in the amount of \$73,490. Both loans are non-interest bearing, no repayment has been made on these loans.

continue



20. COMMITMENTS – continuation

On March 26, 2012 representation of Municipality and Board of Directors signed a contractual agreement where the Municipality authorized Centro Criollo de Ciencia y Tecnología del Caribe, Inc. (C3TEC) to manage and operate such property. C3TEC is an interactive educational center intended to awaken the curiosity and stimulate interest in Science among children from the elementary level onward. The Municipality's representation on the Board of Directors does not exceed the 1/3 of the total members. As part of the agreement, during fiscal year 2018-2019 the Municipality contribution to C3TEC was \$217,000 to cover operating expenses.

On September 24, 2013 representatives of the Municipality and of Integral Service Municipal Alliance (AMSI by Spanish acronyms) signed a one-year contract to contribute funds to cover the rent expense of AMSI for its headquarter offices located in the Municipality of Caguas. This entity was organized under the laws of Puerto Rico over 18 years ago, with the intent of providing services related to the search of employment contributing to a strengthened industry and a workforce that grows. During fiscal year 2018-2019, the Municipality contributed \$100,000 to AMSI to cover rent expenses.

On July 13, 2015 representatives of the Municipality and the executive director of Youth Corporation for the Development of Sustainable Communities (CJDCS BY Spanish acronyms) signed an eight-year contract to contribute funds to cover operations expenses. CJDCS is a non-profit organization was created to have strategies and projects for the promotion of agriculture and food security in our region. During fiscal year 2018-2019, the Municipality contributed \$150,000 to CJDCS to cover operations expenses.

Housing and Rental Contracts

The Section 8 Housing Choice Voucher Program (HCVP) provides rental assistance to help very low-income families afford decent, safe, and sanitary rental housing. The Municipality as a local Public Housing Agency (PHA) is authorized under Federal and State laws to operate housing programs within an area or jurisdiction. The Municipality, as a PHA accepts the application for rental assistance, selects the applicant for admission, and issues the selected family a voucher confirming the family's eligibility for assistance. The family must then find and lease a dwelling unit suitable to the family's needs and desires in the private rental market. The PHA pays the owner a portion of the rent [a housing assistance payment (HAP)] on behalf of the family.

The subsidy provided by the HCVP is considered a tenant-based subsidy because when an assisted family moves out of a unit leased under the program, the assistance contract with the owner terminates and the family may move to another unit with continued rental assistance (24 CFR Section 982.1).

The US Department of Housing and Urban Development (HUD) enters into annual contributions contracts (ACCs) with PHAs under which HUD provides funds to the PHAs to administer the programs locally. The PHAs enter into HAP contracts with private owners who lease their units to assisted families (24 CFR Section 982.151).

During the fiscal years ended June 30, 2019 the Municipality received HAP's assistance payments in the amount of approximately \$7.3 million. No significant changes are expected during the subsequent fiscal year.



21. COMPONENTS OF FUND BALANCES

	GENERAL FUND	CAPITAL PROJECTS FUND	DEBT SERVICE FUND	HEALTH & HUMAN SERVICES FUND	OTHER GOVERNMENTAL FUNDS	TOTAL GOVERNMENTAL FUNDS
Nonexpendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted For:						
Commercial and Residential Loans	-	-	-	-	833,842	833,842
Debt Repayments	-	-	7,679,473	-	-	7,679,473
Drug Prevention Programs	-	-	-	-	12,396	12,396
Economic Development Purposes	-	-	-	-	514,139	514,139
Educational Assisted Programs	-	-	-	-	33,106	33,106
Energy Saving Loans	-	-	-	-	269,055	269,055
Head Start and Elderly Programs	-	-	-	14,460	-	14,460
Housing Assisted Programs	-	-	-	-	1,032,437	1,032,437
Improvement to the City Hall Building	-	40,188	-	-	-	40,188
Improvements to Facilities and Buildings	498,884	3,147	-	-	1,368	503,399
Incubator Program	-	-	-	-	274,500	274,500
Infrastructure Improvements	-	2,978,126	-	-	61,194	3,039,320
Recreational Activities	-	46,812	-	-	50,121	96,933
Reforestation Initiatives	-	-	-	-	10,140	10,140
Safety and Security Programs	-	-	-	-	162,135	162,135
Social Development Purposes	-	-	-	-	377,474	377,474
Sureste Sport Facility Construction	-	814,648	-	-	-	814,648
Transit Improvement Programs	359,562	-	-	-	684	360,246
Total Restricted	858,446	3,882,921	7,679,473	14,460	3,632,591	16,067,891
Committed To:						
Economic Development Purposes	-	-	-	-	19,346	19,346
Transcriollo Transportation Program	-	-	-	-	15,084	15,084
Total Committed	-	-	-	-	34,430	34,430
Assigned To:						
Improvements to Facilities and Buildings	-	2,038,457	-	-	-	2,038,457
Improvements to Facilities and Infrastructure	-	3,789,622	-	-	-	3,789,622
Infrastructure Improvements	-	76,397	-	-	-	76,397
Total Assigned	-	5,904,476	-	-	-	5,904,476
Unassigned (Deficit)	(9,416,180)	-	-	(806,402)	(695,650)	(10,918,232)
Total Fund Balances	\$ (8,557,734)	\$ 9,787,397	\$ 7,679,473	\$ (791,942)	\$ 2,971,371	\$ 11,088,565

22. CONTINGENCIES

Litigation

The Municipality is a defendant in legal matters that arise in the ordinary course of the Municipality's activities. With respect to pending and threatened litigation, the Municipality has reported liabilities of 171,387 in the government-wide statements for anticipated unfavorable judgments or future disbursements.

The amount presented in the total liabilities of the governmental activities in the statement of net position represents the amount estimated as probable liability, which will require future available financial resources for its payment. The Municipality's administration and legal counsel believes that the ultimate liability in excess of amounts provided would not be significant. In addition, the Municipality is a defendant or co-defendant in several legal proceedings, which are in the discovery stage. Certain of these claims are covered by insurance. Legal counsel with the information currently available cannot determine the final outcome of these claims. As a result, the accompanying general-purpose financial statements do not include adjustments, if any, that could result from the resolution of these legal proceedings.



22. CONTINGENCIES – continuation

Federal Financial Assistance

The Municipality receives financial assistance from the federal government in the form of grants or entitlements. The Municipality recognizes federal grant revenues when the related grant agreements are approved and notified by the federal agencies by written communication. All grants are subject to financial and compliance audits by the grantor agencies, which could result in requests for reimbursement by the grantor agencies for expenditures, if disallowed under the terms of the grants. These amounts, if any, of expenditures, which may be disallowed by the granting agencies, cannot be determined at this time. The Municipality's administration believes that such disallowances, if any, will not have a material adverse effect on the financial position of the Municipality.

23. OTHER POSTEMPLOYMENT BENEFITS (OPEB)

In addition to the pension benefits described in Note 20 the Commonwealth provides other retirement benefits, such as Christmas Bonus, and healthcare benefits for its retired employees in accordance with local laws. Substantially, all of the employees may become eligible for these benefits if they reach normal retirement age while working for the Commonwealth.

Healthcare Benefits

The Municipality accounts for OPEB under the provisions of GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, that replaces GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, changes similar to those implemented on GASB No. 67, *Financial Reporting for Pension Plans*, and No. 68, *Accounting and Financial Reporting for Pensions* should be made. This statement requires a systematic, accrual basis measurement and recognition of OPEB cost (expense) over a period that approximates employees' years of service and provides information about actuarial accrued liabilities associated with OPEB and whether and to what extent progress is being made in funding that plan. Annual postemployment benefits cost should equal the annual required contribution to the plans, calculated in accordance with certain parameters. These benefits are recorded as expenditures when paid in the General Fund of the Commonwealth of Puerto Rico.

The contribution requirement of ERS Medical Insurance Plan Contribution (MIPC) is established by Act No. 95 approved on June 29, 1963. There are no member or employer contributions on behalf of the MIPC. This benefit is financed on a pay-as-you-go basis from the General Fund of the Commonwealth of Puerto Rico. Since this benefit is not funded in advance, the Annual Required Contribution (ARC) for this benefit has been calculated based on an assumed investment return rate of 3.00% based on the asset allocation on the Commonwealth's general assets that are used to pay this benefit.

As of June 30, 2019, The ERS have not issued its audited financial statements as of and for the fiscal year ended June 30, 2018 nor has it provided the Municipality with the audited schedules of employment allocations and OPEB amounts by employer as of June 30, 2017 (Municipality's measurement date), necessary to comply with the requirements of GASB Statement No. 75 "*Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*", as of June 30, 2019. As a result, amounts to be reported as deferred outflows \inflows of resources related to OPEB, the net OPEB liability, applicable disclosures and required supplementary information have been omitted.

During the year ended June 30, 2000 the Governor of the Commonwealth of Puerto Rico required to the municipalities of Puerto Rico an annual contribution to subsidy the cost of the implementation and administration of the Healthcare Reform. Such contributions are required to be disbursed from general fund operating budget. In accordance with Law No. 253-2018, the annual contribution to the municipalities was waived during the period from July 1, 2018 to September 30, 2019. Accordingly, the Municipality had no Healthcare Costs during fiscal year 2018-2019.

continue



23. OTHER POSTEMPLOYMENT BENEFITS (OPEB) – continuation

Christmas Bonus Benefits

The Christmas Bonus was \$200 per retiree pursuant to Act No. 3 of April 4, 2013. This benefit is recorded as expenditures when paid in the General Fund of the Commonwealth of Puerto Rico.

24. TAX ABATEMENTS

The Municipality provides tax abatements through two programs— the Traditional Urban Center and Special Corridors, and new technology industries; manufacture; service; distribution (local or export); transportation; corporate headquarters, and others. Also, by Resolution 12A-55 the Court of First Instance of Puerto Rico determine the Satellite Television are exempt of Municipal Patents Law.

The Commonwealth of Puerto Rico provides tax abatements in the Municipality through eight programs— the Tax Incentives Act of 1998; Tax Incentives for the Development of Puerto Rico Act; Act to Promote the Export of Services; Green Energy Incentives Act of Puerto Rico; Tax Exemptions for Hospitals; Agricultural Tax Incentives Act of Puerto Rico; Puerto Rico Tourism Development Act of 2010; and Young Entrepreneurs Incentive and Financing Act.

Also, the Internal Revenue Code administered by the Treasury Department, provide full exemption to municipal volume of business taxes for rental of low-income families. In addition, the Puerto Rico Department of Housing administered a law that provides tax abatements in the Municipality for housing projects for elderly person with low incomes.

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24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Department of Economic Development of the Municipality					
	Ordinance No. 12A-48, Serie 2011-2012 Program			Ordinances No. 99B-19 and 99B-58, Serie 1999-2000 Program		
1) Purpose of Program.	Review and establish new tax incentives for the jurisdiction of the Municipality and for its special zones of the Traditional Urban Center and Special Corridors.			Promote the establishment of new technology industries; manufacture; service; distribution (local or export); transportation; corporate headquarters; communication; public utilities; farming; finance; construction and new companies dedicated to electronic commerce that are established in the Municipality, or that being an established trade or industry, make an addition or expansion in the Municipality.		
2) Tax being abated.	Real Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.			Real Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	The taxpayer will contribute to maintain and improve the economic and labor stability of the industrial or commercial unit to be established, or any other factor or circumstance that reasonably demonstrates that the concession of tax incentives will result in the best socio-economic interests of the Municipality.			The taxpayer will contribute to maintain and improve the economic and labor stability of the industrial or commercial unit to be established, or any other factor or circumstance that reasonably demonstrates that the concession of tax incentives will result in the best social and economic interests of the Municipality. The taxpayer undertakes and will perform during the first three (3) years of exemption, a permanent improvement project or service for the benefit of the community.		
5) How recipients' taxes are reduced.	Through a reduction of annual rate on Personal Property Taxes of 75% during five (5) years, or 100% during two (2) years plus 90% during the next eight (8) years, with some limitations; Real Property Taxes of 75% during five (5) years, or 40% during ten (10) years, with some limitations; Volume of Business Taxes of 75% of total amount during five (5) years, or 40% during ten (10) years, with some limitations; and full exemption on Construction Excise Taxes on new construction and expansions.			Through a reduction of annual rate on Personal Property Taxes of 2.675%, and Real Property Taxes of 3.675% during five (5) years; Volume of Business Taxes of 50% of tax rate from three (3) to eight (8) years depending on new jobs created; and full exemption on Construction Excise Taxes on new construction and expansions.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business, total investment on construction; the approved percentage is applied to that figure to determine the abatement amounts.			The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business, total investment on construction; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	<u>\$1,833,443</u>	<u>\$3,466,296</u>	<u>\$0</u>	\$21,004	<u>\$14,992</u>	<u>\$0</u>

continue



24. TAX ABATEMENTS – continuation

<i>Municipality Tax Abatement Disclosure as required by GASB Statement No. 77</i>	Programs Administered by the Department of Economic Development of the Municipality		
	Resolution 12A-55, Case DPE 2007-3979 (904) Court of First Instance of Puerto Rico		
1) Purpose of Program.	Resolution 12A-55, Case DPE 2007-3979 (904) Court of First Instance.		
2) Tax being abated.	Volume of Business Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as		
4) Criteria to be eligible to receive abatement.	Exempt from payment of municipal patent by Satellite Television, as required by the court.		
5) How recipients' taxes are reduced.	This Act provide full exemption of Volume of Business Taxes.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	\$0	<u>\$15,564</u>	Not Applicable

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24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Industrial Development Company					
	Tax Incentives Act of 1998 (Act Number 135 of December 2, 1997 as Amended)			Tax Incentives for the Development of Puerto Rico Act (Act Number 73 of May 28, 2008, as Amended)		
1) Purpose of Program.	Stimulate the formation of local capital, promote the development of the air port infrastructure and maritime, promote the export of manufactured articles in Puerto Rico, promote the development of strategic industries, promote the development of small and medium businesses, promote the establishment of regional offices and corporate headquarters and distribution centers in Puerto Rico, promote the creation of jobs and the development of human resources, and promote the development and distribution of technology in Puerto Rico.			Provide an adequate environment and opportunities for the continued development of our local industry; providing an attractive tax proposal that appeals to foreign direct investments and fosters the economic development and social betterment in Puerto Rico.		
2) Tax being abated.	Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.			Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	Any industrial unit whose objective is the production of a manufactured product on a commercial scale; any "bonafide" industrial unit that is established on a permanent basis to produce an article designated under this law; and any service unit that has as its objective the provision on a commercial scale in Puerto Rico of some type of service designed for foreign markets, including markets in the United States.			Any industrial unit whose objective is the production of a manufactured product on a commercial scale; any "bonafide" industrial unit that is established on a permanent basis to produce an article designated under this law; and any service unit that has as its objective the provision on a commercial scale in Puerto Rico of some type of service designed for foreign markets, including markets in the United States.		
5) How recipients' taxes are reduced.	Through a reduction of annual rate on Real Property Taxes and Personal Property Taxes of 90%; Volume of Business Taxes of 60% to 100% of total amount; and 60% to 100% of Construction Excite Taxes during the decree period.			Through a reduction of annual rate on Real Property Taxes and Personal Property Taxes of 90% to 100% up to 15 years; Volume of Business Taxes and Construction Excise Taxes of 60% of total amount for 15 years, 100% for industries dedicated to generation of energy using renewable sources for the first 5 years and then 60% for 15 years.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business, total investment on construction; the approved percentage is applied to that figure to determine the abatement amounts.			The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business, total investment on construction; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Available	\$4,946,610	Not Available	Not Available	\$1,336,525	Not Available

continue



24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Industrial Development Company					
	Act to Promote The Export of Services (Act Number 20 of January 17, 2012 as Amended)			Green Energy Incentives Act of Puerto Rico (Act Number 83 of July 19, 2010 as Amended)		
1) Purpose of Program.	Provide provide the adequate environment and opportunities to develop Puerto Rico as an international service center, encourage local professionals to stay and return, and attract foreign capital, thus promoting the economic development and social betterment of Puerto Rico.			To achieve the diversification of energy sources and energy technology infrastructure by reducing our dependency on energy sources derived from fossil fuels such as petroleum; reducing and stabilizing our energy costs; controlling electricity price volatility in Puerto Rico; reducing the flight of capital caused by the import of fossil fuels; preserving and improving our environment, natural resources and quality of life; promoting the conservation of energy and social wellbeing through various mechanisms such as setting and achieving goals within a mandatory timetable, and economic and tax incentives to stimulate the generation of electric power through sustainable renewable and alternative renewable energy source.		
2) Tax being abated.	Real and Personal Property Taxes, and Volume of Business Taxes.			Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	Any entity with an office or bona fide establishment located in Puerto Rico which carries out or may carry out, eligible services that are, in turn, considered services for export or promoter services shall be considered an eligible business.			Any business engaged in the production and sale, at a commercial level, of green energy for consumption in Puerto Rico, whether as the owner and direct operator of the production unit or as owner of a production unit operated by another person, in which case, both the owner and the operator shall be deemed to be businesses engaged in an eligible activity for the purposes of this Act; Green energy producer, as defined in Section 1.4, for consumption in Puerto Rico, provided that this is his/her main business; Assembly of green energy generation equipment, including the installation of such equipment at the facilities of the green energy user to be produced by such equipment; Property engaged in the generation of green energy.		
5) How recipients' taxes are reduced.	Through a reduction of annual rate on Real Property Taxes and Personal Property Taxes of 90% up to 20 years; and Volume of Business Taxes of 60% of total amount for 20 years.			Through a reduction of annual rate on Real Property Taxes and Personal Property Taxes of 90% for 25 years; Volume of Business Taxes and Construction Excise Taxes of 60% of total amount for 25 years.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business; the approved percentage is applied to that figure to determine the abatement amounts.			The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Available	<u>\$103,847</u>	Not Available	\$186,750	<u>\$44,206</u>	Not Available

continue



24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Industrial Development Company					
	Tax Exemptions for Hospitals (Act Number 168 of June 30, 1968, as Amended)			Agricultural Tax Incentives Act of Puerto Rico (Act Number 225 of December 1, 1995, as Amended)		
1) Purpose of Program.	To grant incentives to people dedicated to the operation of hospitals and / or homes of health in Puerto Rico and adjacent facilities; and to establish the conditions under the hospitals will enjoy said incentives, as well as to exempt from the payment of contributions bonds, promissory notes or other obligations and fifty (50) percent of the interest on the same, that these entities issue to raise the necessary funds or capital for your purposes.			To set the public policy in the agricultural sector and other related economic sectors; establish the requirements to qualify "bona fide" farmers and exempt them from payment of any kind of taxes on personal and real property, municipal volume of business, income, excise taxes and any municipal and/or state tax.		
2) Tax being abated.	Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.			Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	Any people dedicated to the operation of hospitals and/or homes of health in Puerto Rico and adjacent facilities, shall be considered an eligible business.			Any natural or legal person who during the taxable year for which he claims deductions, exemptions or benefits provided by this law has a current certification issued by the Secretary of Agriculture, in consultation with the Secretary of the Treasury, which certifies that during said year was dedicated to the exploitation of an activity that qualifies as an agricultural business, as said term is defined in subsection (b) of this section, and which derives fifty percent (50%) or more of its gross income from a agricultural business as operator, owner or lessee, as recorded in your their income tax return, shall be considered an eligible business.		
5) How recipients' taxes are reduced.	This Act, as amended, provide full exemption of Real Property Taxes and Personal Property Taxes; Volume of Business Taxes and Construction Excise Taxes.			This Act, as amended, provide full exemption of Real Property Taxes and Personal Property Taxes; Volume of Business Taxes and Construction Excise Taxes.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business; the approved percentage is applied to that figure to determine the abatement amounts.			The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Available	<u>\$911,190</u>	Not Available	Not Available	<u>\$27,343</u>	Not Available

continue



24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Industrial Development Company					
	Foreign Trade Zones (Act Number 131 of June 17, 1999)			Young Entrepreneurs Incentive and Financing Act (Act Number 135 of August 7, 2014, as Amended)		
1) Purpose of Program.	To promote the export activity generated by companies located in a Foreign Trade Zone, including the income generated by the products used in the process of manufacturing, mixing or packaging made within the area, established in accordance with the provisions of the Zone Act of Foreign Trade of 1934 (19 USC 81C (a)), by an entity incorporated under the laws of the Government of Puerto Rico or by a company authorized to do business in Puerto Rico.			To promote the retention of Puerto Rican talent and foster the return of young professionals who have left the Island.		
2) Tax being abated.	Personal Property Taxes and Volume of Business Taxes.			Personal Property Taxes and Volume of Business Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	It grants an exemption from the payment of personal property taxes and municipal patents exclusively to the merchandized and the volume of business derived from the export of those companies whose operations are in the Foreign Trade Zones.			This Act offers various competitive advantages for young professionals to work and establish themselves in Puerto Rico. Firstly, full income tax exemption is provided for the first forty thousand dollars (\$40,000) earned by young persons between the ages of sixteen (16) and (26) on account of wages, rendered services, or self-employment, shall be considered an eligible business.		
5) How recipients' taxes are reduced.	Through a reduction of annual rate on Personal Property Taxes of 100%; and Volume of Business Taxes of 100%.			This Act provide full exemption of Personal Property Taxes and Volume of Business Taxes for the first \$500,000 of volume earned for a period of 3 years.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business; the approved percentage is applied to that figure to determine the abatement amounts.			The amount of the direct reduction to revenues is based on the calculated certified reasonable property value and volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	\$6,789	<u>\$9,862</u>	Not Applicable	Not Available	<u>\$12,175</u>	Not Available



24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Treasury Department					
	Law on Cooperative Savings and Credit Societies (Act Number 225 of October 28, 2002)			Section 1101 (a) (6) of Internal Revenue Code of Puerto Rico		
1) Purpose of Program.	To facilitate and advance the growth and strengthening of savings and credit cooperatives organized under this Act, to encourage broad and full participation in the financial services markets and to promote the expansion of the			Promote non-profit organization.		
2) Tax being abated.	Real and Personal Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.			Volume of Business Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax			Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law.		
4) Criteria to be eligible to receive abatement.	"Cooperative" means any cooperative savings and credit cooperative of first or second degree constituted and organized in accordance with this Act. Those cooperatives whose partners are cooperative entities shall be considered as second degree cooperatives. "Closed cooperatives" means any first-tier savings and credit cooperative whose members are limited to a particular company or group to the exclusion of other groups. "Insured Cooperative" means any cooperative that receives the stock and deposit insurance that the Corporation will provide. "Adequate Condition Cooperative" means that credit and savings cooperative that has an adequate financial and managerial condition, to be			The taxpayer will be a non-profit organization to be eligible.		
5) How recipients' taxes are reduced.	This Act, as amended, provide full exemption of Real Property Taxes and Personal Property Taxes; Volume of Business Taxes and Construction Excise Taxes.			This Act provide full exemption of Volume of Business Taxes.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable property value, volume of business, total investment on construction; the approved percentage is applied to that figure to determine the			The amount of the direct reduction to revenues is based on the calculated certified reasonable volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A			N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A			N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Applicable	<u>\$17,643</u>	Not Applicable	Not Applicable	<u>\$64,987</u>	Not Applicable



24. TAX ABATEMENTS – continuation

<i>Municipality Tax Abatement Disclosure as required by GASB Statement No. 77</i>	Programs Administered by the Puerto Rico Department of Treasury		
	Section 1101 (a) (6) of Internal Revenue Code of Puerto Rico		
1) Purpose of Program.	Promote low-income families access to rental housing at reasonable prices.		
2) Tax being abated.	Volume of Business Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the		
4) Criteria to be eligible to receive abatement.	The taxpayer will be a low-income family to be eligible.		
5) How recipients' taxes are reduced.	This Act provide full exemption of Volume of Business Taxes.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable volume of business; the approved percentage is applied to that figure to determine		
7) Provisions for recapturing abated taxes.	N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Applicable	<u>\$32,459</u>	Not Applicable



24. TAX ABATEMENTS – continuation

Municipality Tax Abatement Disclosure as required by GASB Statement No. 77	Programs Administered by the Puerto Rico Department of Housing		
	Act Number 165 of August 23, 1996		
1) Purpose of Program.	Housing Rental Program for the Elderly with Low Income properties.		
2) Tax being abated.	Real Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
3) Authority under which abatement agreements are entered into.	Law Number 81 of August 30, 1991, as amended, known as the Autonomous Municipalities Act of the Commonwealth of Puerto Rico; Law Number 113 of July 10, 1974, as amended by Law Number 82 of August 30, 1991, known as the Municipal Patents Law; and Law Number 83 of August 30, 1991, as amended, known as the Municipal Property Tax Act.		
4) Criteria to be eligible to receive abatement.	The taxpayer will rent residential property to elderly with low-income to be eligible.		
5) How recipients' taxes are reduced.	This Act provide 90% exemption of Real Property Taxes, Volume of Business Taxes, and Construction Excise Taxes.		
6) How amount of abatement is determined.	The amount of the direct reduction to revenues is based on the calculated certified reasonable volume of business; the approved percentage is applied to that figure to determine the abatement amounts.		
7) Provisions for recapturing abated taxes.	N/A		
8) Types of commitments made by the Municipality other than to reduce taxes.	N/A		
9) Gross dollar amount, on accrual basis, by which the Municipality's tax revenues were reduced as a result of abatement agreement.	Property Taxes	Volume of Business Taxes	Construction Excite Taxes
	Not Applicable	<u>\$6,642</u>	Not Applicable

On July 1, 2019, the Commonwealth of Puerto Rico approved the new Puerto Rico Incentive Code, to consolidate the dozens of existing decrees, incentives, subsidies, reimbursements, or tax or financial benefits; promote the environment, the opportunities and the adequate tools to promote the sustainable economic development of Puerto Rico; establish the legal and administrative framework that will govern the request, evaluation, concession or denial of incentives by the Commonwealth of Puerto Rico; promote the effective and continuous measurement of the costs and benefits of the incentives that are granted to maximize the impact of the investment of public funds; give stability, certainty and credibility to the Commonwealth of Puerto Rico in everything related to private investment; and improve Puerto Rico's economic competitiveness.



25. NET POSITION / FUND BALANCES RESTATEMENT

For the year ended June 30, 2019, the Municipality adjusted net position and fund balance of Debt Service Fund, to reflect prior period cash on GDB confirmed this year.

The following schedule reconciles the June 30, 2018 Net Position and Fund Balance, respectively, as previously reported to Beginning Net Position and Fund Balance, respectively, as restated, July 1, 2018:

	GOVERNMENTAL ACTIVITIES		DEBT SERVICE FUND
Net Position, as Previously Reported, At June 30, 2018	\$ 4,213,388	At June 30, 2018	\$ 19,247,092
Understatement of Revenues	<u>56,905</u>	Understatement of Revenues	<u>56,905</u>
Beginning Net Position, as Restated, At July 1, 2018	<u>\$ 4,270,293</u>	Beginning Fund Balance, As Restated, At July 1, 2018	<u>\$ 19,303,997</u>

26. GOING CONCERN – COMMONWEALTH OF PUERTO RICO

The Commonwealth of Puerto Rico (Commonwealth) currently faces a severe fiscal, economic and liquidity crisis, the culmination of many years of significant governmental deficits, a prolonged economic recession (which commenced in 2006), high unemployment, population decline, and high levels of debt and pension obligations. Further stressing the Commonwealth’s liquidity is the vulnerability of revenue streams during times of major economic downturns and large health care, pension and debt service costs. As the Commonwealth’s tax base, has shrunk and its revenues affected by prevailing economic conditions, health care, pension and debt service costs have become an increasing portion of the General Fund budget, which has resulted in reduced funding available for other essential services, like the municipalities of Puerto Rico which received subsidies from the Commonwealth.

The following activities, funds, and blended component units reflect a net position deficit/fund balance deficit as of June 30, 2016 (expressed in thousands), last audited financial statements:

	Deficit Balance
Primary Government:	
Governmental Activities	\$69,821,688
Business-Type Activities	473,117
General Fund	1,234,385
Lotteries Fund	85,819
PR Health Insurance Administration Fund	131,407
PR Medical Services Administration Fund	873,242

The Commonwealth’s Governmental Activities and Business-Type Activities show a net position deficit of approximately \$69.8 billion and \$473.0 million, respectively, for a total of \$70.3 billion as of June 30, 2016. The net deficit is attributable to the accumulated effect of over a decade of operating expenses exceeding program and general revenues, an increase in the cost of funding the Retirement Systems, and a decrease in estimated revenues, among other factors.

The Commonwealth’s General Fund shows a fund balance deficit of approximately \$1.2 billion. The fund balance deficit is attributable to operating expenses exceeding revenues.



26. GOING CONCERN – COMMONWEALTH OF PUERTO RICO – continuation

Another aspect of the Commonwealth's operations contributing to the aforementioned deficits and liquidity constraints relates to the Commonwealth's education costs, representing a very high percentage of its budgetary expenditures, and the Commonwealth's challenges in controlling such costs. The budget appropriation for the Commonwealth's Department of Education has historically represented a significant portion of the total General Fund budget.

The Commonwealth's ability to reduce its General Fund deficit and to achieve a balanced budget in future fiscal years depends on a number of factors, some of which are not wholly within its control, including the performance of the Commonwealth's economy, that actual collections of taxes meet the Treasury Department's projections, and the government's ability to reduce and control governmental expenditures, particularly in areas such as education, public safety and healthcare, which represents a significant portion of the budget appropriations of the Commonwealth. The Commonwealth will not be able to honor all of its obligations as they come due while at the same time providing essential government services. These factors create an uncertainty about the Primary Government's ability to continue as a going concern.

As part of the original Fiscal Plan approved by the Oversight Board on March 13, 2017 presented by the Governor of Puerto Rico to attend the fiscal crisis, contemplates a reduction of \$350.0 million of subsidies to the municipalities of Puerto Rico. Already in FY 2018, the total municipal appropriation was reduced by \$150 million, bringing the new baseline appropriations to \$220 million per year. Going forward from this baseline, with the New Fiscal Plan approved by the Oversight Board on April 19, 2018, there must be a reduction of 20% in each successive year, holding appropriations constant at 80% of current levels starting in FY 2022 before ultimately phasing out all subsidies in FY 2024. A new Fiscal Plan was approved by the Oversight Board on May 9, 2019 (see Note 26 for more details).

PUERTO RICO FILES FOR BANKRUPTCY UNDER PROMESA TITLE III

On May 3, 2017, the Commonwealth of Puerto Rico and the Oversight Board established by Congress filed for bankruptcy under Title III of PROMESA in what is poised to become one of the largest bankruptcies in the United States history.

Both the Oversight Board and the New Commonwealth Administration have expressed a strong preference for restructuring the Commonwealth' debt through the use of Title VI. However, when the it comes to the debt of the Commonwealth and those instrumentalities that rely on its taxing power for debt service, as opposed to the debt of certain of its instrumentalities, Title VI is unlikely to provide a realistic path to restructure such debt for the following reasons:

- Unlike Title III, Title VI contains no automatic stay of creditor litigation upon the commencement and during the continuation of the restructuring process. As the current stay is set to expire in May 2017, with limited options available for a further extension.
- Any attempt to restructure the Commonwealth debt through Title VI will likely be complicated when existing litigation resumes, and additional litigation is commenced.
- Although that is a critical dispute.
- In addition, creditors already have challenged the invocation of the clawback by the Commonwealth, asserted claims against the Commonwealth based on violations of statutory impairment provisions, alleged that various property interest have been taken in violation of constitutional protections, and claimed violations of PROMESA and other statutes, and

continue



26. GOING CONCERN – COMMONWEALTH OF PUERTO RICO – continuation

- Regardless of the validity of these claims, it is clear that they will not all be resolved in the likely time frame that a Title VI process will take, and the outcome of such litigation, as well as other litigation that surely will be commenced upon the expiration of the current stay, could alter or harden the positions of the affected parties and change their willingness to compromise their claims.

Remediation Plan

As previously mentioned, on March 13, 2017, the Oversight Board certified the initial Fiscal Plan for the Commonwealth. The Fiscal Plan has been subject to various revisions. On May 9, 2019, the Oversight Board certified its own new Fiscal Plan for the Commonwealth, which included the following categories of structural reforms and fiscal measure:

- Human Capital & Welfare Reform (Chapter 7)
- Ease of Doing Business Reform (Chapter 8)
- Energy and Power Regulatory Reform (Chapter 9)
- Infrastructure Reform and Capital Investment (Chapter 10)
- Office of the OCFO Chapter 11)
- Agency Efficiencies (Chapter 12)
- Healthcare Reform (Chapter 13)
- Tax Compliance and Fees Enhancement (Chapter 14)
- Reduction in Appropriations to UPR and Municipalities (Chapter 15)
- Pension Reform (Chapter 16)
- Ensuring Successful Implementation and Fiscal Controls (Chapter 17)

There is no certainty that the Oversight Board Fiscal Plan (as currently certified or as subsequently amended and recertified) will be fully implemented, or if implemented will ultimately provide the intended results. All these plans and measures, and the Commonwealth's ability to reduce its deficit and to achieve a balanced budget in future years depends on a number of factors and risks, some of which are not wholly within its control.

27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA)

The Puerto Rico Oversight, Management, and Economic Stability Act, Pub. Law 114-187 ("PROMESA" or the "Act"), was enacted into law on June 30, 2016. The Senate had passed PROMESA on June 29, 2016, and President Obama signed the Act into law on June 30, 2016, one day before the Commonwealth of Puerto Rico was expected to, and did, default on substantial payment obligations.

PROMESA Overview

Background

Before PROMESA was enacted, Puerto Rico had passed the Puerto Rico Corporation Debt Enforcement and Recovery Act (the "PR Recovery Act") in 2014. The PR Recovery Act would have enabled certain of Puerto Rico's instrumentalities to adopt a recovery or restructuring plan for their debt. However, in *Puerto Rico v. Franklin Cal. Tax-Free Trust, et al.*, 136 S. Ct. 1938 (2016), the United States Supreme Court held that the PR Recovery Act was invalid because it was preempted by the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq., as amended (the "Bankruptcy Code"). In sum, the Supreme Court found that the Bankruptcy Code applies to Puerto Rico by including the territory within the definition of a "State" (except in the case of Puerto Rico for purposes of determining whether a State's municipalities may be debtors thereunder). The Court then concluded that the PR Recovery Act was preempted by a provision of the Bankruptcy Code prohibiting States from enacting their own bankruptcy legislation.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

PROMESA

Unlike the PR Recovery Act, PROMESA is a federal legislative enactment. The Act is very extensive and the first of its kind in many respects. PROMESA includes a variety of provisions applicable to Puerto Rico, its instrumentalities and their liabilities and operations. The following is a summary of PROMESA, which is intended as a broad overview of primary provisions of PROMESA.

Oversight Board: The Act establishes a seven-member Oversight Board, the members of which will be designated by Congress and the President. The Oversight Board is provided with broad authority over Puerto Rico and instrumentalities of Puerto Rico which the Oversight Board designates as "covered" instrumentalities.

The Oversight Board is generally an autonomous body that has broad authority and discretion over Puerto Rico, including the ability to place Puerto Rico itself and a "covered" instrumentality into a debt restructuring proceeding established under the Act, require and approve a fiscal plan, require and approve a budget, oversee operations and implement changes that are necessary to comply with an approved fiscal plan or budget, approve the issuance of debt, hold hearings and issue subpoenas in furtherance of its functions, enter into its own contracts, analyze a territory's pensions and pension liability, approve voluntary settlements with creditors, and become a direct party in litigation against Puerto Rico or an instrumentality. The Oversight Board is, in effect, considered a division of the territory and can hire officers, professionals and legal counsel.

Certain governmental entities in Puerto Rico may be organized as an instrumentality of Puerto Rico, while other entities may be organized as an instrumentality of an instrumentality. For example, certain governmental entities may not be organized as a direct instrumentality of Puerto Rico, but instead as an instrumentality of the Government Development Bank of Puerto Rico. The definition of "territorial instrumentality" in PROMESA provides that such definition includes an instrumentality "of a territory". While not addressed in the express language of PROMESA, it would appear that an instrumentality of an instrumentality, such as an entity organized by the Government Development Bank of Puerto Rico, could also constitute a "territorial instrumentality" under the Act. The definition of "territorial instrumentality" specifies that it is to be construed broadly. In addition, by analogy, the definition of "municipality" in the Bankruptcy Code is similarly defined as an instrumentality "of a State". However, courts have held, and commentators have noted, that a municipality under the Bankruptcy Code includes not only an instrumentality of a State, but also an instrumentality of an instrumentality of a State.

Automatic Stay: Upon the enactment of the Act, a temporary stay or statutory injunction went into effect under Title IV thereof which stays, among other things, all actions and litigation against Puerto Rico and its instrumentalities to collect or enforce liabilities or claims and actions to possess or control their property. The stay under the Act has certain very limited exceptions, but all enforcement actions against Puerto Rico and its instrumentalities, or other actions to control their property, are stayed through the temporary stay period. As provided in the Act, the stay will continue in effect until February 15, 2017 unless it is temporarily extended by the Oversight Board for 75 days or by a Federal District Court for 60 days. The Act permits Puerto Rico and its instrumentalities to voluntarily pay liabilities during the period of the temporary stay. Thus, Puerto Rico and its instrumentalities can elect to, but are not required to, make payments on debts or other obligations during the stay period. On January 28, 2017, the Oversight Board extended the stay to May 1, 2017.

FISCAL PLAN TARGETS AND GUIDELINES

At its November 18, 2016 public meeting here in Puerto Rico, the Oversight Board adopted and communicated publicly a set of five principles to evaluate the Government of Puerto Rico's proposed fiscal plan and to assess the degree to which the plan meets the 14 criteria established by PROMESA. This set of five principles adopted by the Oversight Board and the 14 criteria established by PROMESA regarding the elaboration of the fiscal plan are as follows:

continue



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Principles:

Principle 1: The long-term fiscal plan must cover at least the next 10 fiscal years with meaningful progress in the next five and meet the standards set forth in the law (the 14 criteria). The fiscal plan should aim to meet the statutory criteria for the Board to be terminated within 10 years, which includes having adequate market access at reasonable rates and having at least four consecutive years of balanced budgets in accordance with modified accrual accounting standards.

Principle 2: The fiscal plan must work to stabilize the current economic situation, increase the economy's resilience, shore up public finances, support long-term, durable growth, meet basic needs of the citizenry, and restore opportunity for the people of Puerto Rico.

Principle 3: To properly establish an accurate assessment of the fiscal outlook, the base-case scenario within the fiscal plan must assume no additional federal support beyond that which is already established by law (e.g., no Affordable Care Act support extension) and no reliance on unsustainable Act 154 revenues in light of the expiration of said act. Initiatives included in the fiscal plan must be based on applicable laws or specific bills that require enactment in order to reasonably achieve the projections of the fiscal plan.

Principle 4: The plan must include an appropriate mix of structural reform, fiscal adjustment, and debt restructuring. It must be informed by the relevant analytical tools (e.g., a debt sustainability analysis and a detailed economic projection) that assure the Board that the GPR is pursuing a comprehensive approach to address acute economic, budgetary, and demographic challenges.

Principle 5: The fiscal plan must be accompanied by relevant operational plans that show how the GPR will achieve the changes and reforms it proposes.

CRITERIA FOR FISCAL PLANS

Section 201(b) of PROMESA identifies 14 specific components and objectives a fiscal plan should address. In particular, PROMESA stipulates that the fiscal plan must provide a method to achieve fiscal responsibility and access to the capital markets, in addition to the following:

1. Provide for estimates of revenues and expenditures in conformance with agreed accounting standards and be based on (i) applicable laws; or (ii) specific bills that require enactment in order to reasonably achieve the projections of the fiscal plan;
2. Ensure the funding of essential public services;
3. Provide adequate funding for public pension systems;
4. Provide for the elimination of structural deficits;
5. For fiscal years in which a stay is not effective, provide for a debt burden that is sustainable;
6. Improve fiscal governance, accountability, and internal controls;
7. Enable the achievement of fiscal targets;
8. Create independent forecasts of revenue for the period covered by the fiscal plan;
9. Include a debt sustainability analysis;



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

10. Provide for capital expenditures and investments necessary to promote economic growth;
11. Adopt appropriate recommendations submitted by the Oversight Board;
12. Include such additional information as the Oversight Board deems necessary;
13. Ensure that assets, funds, or resources of a territorial instrumentality are not loaned to, transferred to, or otherwise used for the benefit of a covered territory or another covered territorial instrumentality of a covered territory, unless permitted; and
14. Respect the relative lawful priorities or lawful liens in the constitution, other laws, or agreements of a covered territory or covered territorial instrumentality in effect prior to the enactment of PROMESA.

Fiscal Plans and Budgets: A critical component of PROMESA is the requirement of Puerto Rico and covered instrumentalities to develop and maintain a fiscal plan. A fiscal plan for the territory, or any instrumentality designated by the Oversight Board, generally must contain numerous provisions governing the operation of the territory or instrumentality including plans to pay debts, eliminate deficits, maintain essential public services and impose internal controls for fiscal governance and accountability. Each fiscal plan is also required to set forth methods for the territory or instrumentality to access the capital markets.

The fiscal plan must be developed by the governor, with oversight by the Oversight Board, and submitted to the Oversight Board for approval (the Oversight Board can submit its own fiscal plan if the governor's fiscal plan is not acceptable in the sole discretion of the Oversight Board). A fiscal plan is also required to comply with Puerto Rico law and to maintain valid liens.

The Act further specifies that no budget can be submitted by the territory's governor to its legislature unless the Oversight Board has approved a fiscal plan and the budget is consistent with the fiscal plan (and, similar to fiscal plans, the Oversight Board can submit its own budget if the governor's budget is not acceptable in the sole discretion of the Oversight Board). The Commonwealth submitted the Fiscal Plan on February 28, 2017 and the Oversight Board certifies the plan with some modifications on March 13, 2017 (see below).

New Fiscal Plan – 2018

Following the passage of Hurricanes Irma and María, the Oversight Board requested the Government of Puerto Rico to review the Fiscal Plan approved in March 2017, considering the fiscal crisis, the new approved Federal Funds and the economic expectations for the next 5 years and not for 10 years as the Fiscal Plan originally approved.

Because of the reality, Puerto Rico has several contingencies that prevent certainty of our future, such as: the treatment the Federal government will give to Puerto Rico in health programs and funds for the hurricanes, the disbursement of Federal assistance funds, impact of Title III litigation and the impact that the Federal tax reform will have on jobs on the Island. On April 5, 2018, the Governor submitted New Fiscal Plan. After various communication and analysis by personnel of Commonwealth and the Oversight Board, the Board approved on April 19, 2018 the New Fiscal Plan as prepared by the Oversight Board.

A New Fiscal Plan of the Oversight Board was certified on October 23, 2018.

New Fiscal Plan – 2019

On January 18, 2019, the Oversight Board requested the Governor to submit another Fiscal Plan to the Commonwealth to replace the October Fiscal Plan. The New Fiscal Plan of the Oversight Board, instead of the Commonwealth, was approved on May 9, 2019.

continue



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Following are the principal commentaries about the New Certified Fiscal Plan of 2019:

Human Capital & Welfare Reform (Chapter 7)

Puerto Rico could improve labor market flexibility through repealing restrictive laws like Law 80 and creating labor conditions more similar to those on the mainland, which would lead to increased labor force participation rates. If Puerto Rico's labor force participation rate were to grow to match even to that of the lowest U.S. state, incomes would rise, poverty would decline, and the budgetary deficit would improve. Increasing labor force participation and job creation may be the single most important reform for long-term economic well-being in Puerto Rico.

In addition to the Island's labor laws, Puerto Rico residents may also face disincentives to participate in the formal labor market due to rules attached to various welfare benefits, including the Nutritional Assistance Program (NAP), Medicaid, Section 8 public housing, TANF, WIC, and other programs.

These benefits are sometimes stereotyped with a claim that "welfare pays more than work." While this may be true in isolated cases, the broader problem occurs when welfare beneficiaries work in the formal sector and receive earnings that trigger a reduction in their benefits. The phase-out of government transfer benefits as earned income increases acts as a tax to disincentivize formal employment, as effective hourly wage (income received by working minus the loss of benefits) can be substantially lower than the formal hourly wages received. For many residents, working in the informal sector and collecting transfer benefits can often result in higher effective income than working in the formal sector.

While transfer benefits in Puerto Rico are not more generous than on the mainland in dollar terms, they *are* more generous relative to generally lower earnings on the Island. When benefits are phased out as a beneficiary works, loss of benefits may be larger relative to earnings than for a mainland worker. This can serve as a greater disincentive to work than on the mainland.

To implement the human capital and welfare reform package, address labor market challenges and encourage residents to participate in the formal labor market, the 2019 Fiscal Plan requires the Government to launch an Earned Income Tax Credit (EITC) program by January 2019, raising pay for formal laborers. The Government also must institute a work requirement for the Nutrition Assistance Program (NAP) by July 1, 2019, with no transition period (e.g., full requirements regarding work will begin in July, with a three-month transition period allowed for those trying to find work, schooling, or volunteering opportunities).

Ease of Doing Business Reform (Chapter 8)

Ease of doing business remains an area in which Puerto Rico has much room for improvement. The 2019 Fiscal Plan re-iterates the **need for urgent action, particularly in light of no progress in Puerto Rico's ranking in the categories of Ease of Doing Business that have proven most important to stimulating growth in other jurisdictions.** For example, from 2018 to 2019, Puerto Rico fell 3 slots in construction permitting, from 138 to 141, in registering property, 6 slots from 153 to 159, and in starting a business 6 slots from 47 to 53.

The Oversight Board acknowledges recent initiatives announced by the Government to streamline the permitting process and expects committed actions to ensure that this results in meaningful change during the next fiscal year.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

In the 2018 and 2019 Ease of Doing Business Report, Puerto Rico was ranked 64th. This represents a 9-point decline from 2017 and is 58 spots lower than the U.S., which ranks 6th overall. While the overall ranking did not change in 2019, the underlying trends on the most critical improvements needed to encourage growth in Puerto Rico were negative – such as getting electricity, construction permitting, and registering property. There are some areas of strength: Puerto Rico placed 6th for Getting Credit and 9th for Resolving Insolvencies. It has also made recent efforts to digitize government services to improve speed and accessibility, having launched the Single Business Portal (SBP) in July 2018, which currently includes online filing system for defined Acts (Acts 14, 20 and 22) but should ultimately consolidate permit requests, filing for incentives and annual reporting on these Acts.

Puerto Rico should achieve a best-in-class business environment by taking targeted steps to improve rankings in key identified Doing Business Index indicators by FY2023, with the goal of closing the gap with the mainland U.S. by at least 50% from its 2018 rankings:

- Overall: Move from 64 to at least 57
- Construction Permits: Move from 138 (141 in 2019) to at least 87
- Registering Property: Move from 153 (159 in 2019) to at least 95
- Paying Taxes: Move from 161 (162 in 2019) to at least 99
- Getting Electricity: Move from 69 (88 in 2019) to at least 59

In each of these areas, as outlined in more detail below, there are underlying measures of progress that the Government should target for improvement. For example, number of procedures, hours required, time required, and direct costs.

In addition, in line with best-in-class investment offices, by FY2023 Puerto Rico should:

- Create 54,000 new jobs (or average 9,000 new jobs per year)
- Lead 750 new capital investments (or average 150 per year)
- Achieve a \$20 return in 10 years per dollar invested

In line with best-in-class Caribbean tourism offices, by FY2023 Puerto Rico should close distance with the highest ranked Latin American country and therefore:

- Improve World Bank Travel & Tourism Competitiveness Index ranking to at least 43, closing the distance to the highest ranked Latin American country in 2018
- Drive 5% annual growth in direct contribution of tourism to GDP and 5% annual growth in direct contribution to employment
- Improve tourist service infrastructure score of 5.4 (2015) by 10% by improving number and quality of lodging services
- Establish exit surveys to measure visitor satisfaction, length of stay and spend for tourists to highlight key areas of improvement and focus for DMO

Energy and Power Regulatory Reform (Chapter 9)

A strong and independent energy sector regulator is essential for injecting certainty and stability into the energy market, promoting much needed investments and enforcing compliance with the energy sector transformation's objectives. The long-term sustainability of Puerto Rico's energy sector depends on the lasting presence of a strong, independent, and professional regulator. The current regulator of the power sector in Puerto Rico is the Puerto Rico Energy Bureau (PREB). PREB has the responsibility to "regulate, monitor and enforce the energy public policy of the Commonwealth of Puerto Rico."



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Although administratively located within the Puerto Rico Public Service Regulatory Board (PSRB), PREB's decision-making process should not be subject to direct or indirect review by any other government entity, except for any review under applicable administrative procedure rules. Any staff involved in substantive decision-making should be kept separate and independent from the PSRB and be fully dedicated to matters within PREB's jurisdiction and purview. PREB may, on an annual basis, provide funds to the PSRB to cover administrative and other operational costs, however, PREB's resources should be kept separate and shall not be controlled or placed under the direction of the PSRB.

In line with best practices for regulatory commissions (e.g. California Public Utilities Commission, Hawaii Public Utilities Commission, New York Public Services Commission), PREB is headed by 5 commissioners who serve staggered 6-year terms. The commissioners are appointed based on their technical, professional and/or academic credentials, with potential candidates being identified and appointed through a candidate list developed by a professional recruitment firm. The commissioners should be supported in their oversight role by a professional civil servant staff that has utility expertise.

PREB's substantive independence should be supported by financial independence. Under current law, PREB's yearly budget is set at \$20 million⁶⁰ and collected through charges assessed on certified energy companies. To provide for a steady and predictable funding source, PREB's enabling act should be amended to provide that PREB's budget shall be funded entirely through rates, as part of the revenue requirement used to determine the transmission and distribution (T&D) System's rates. PREB's funds are then collected by the T&D operator through customer bills and periodically remitted to PREB. This funding mechanism is consistent with the mechanisms used to fund other mainland regulators.

Until the transformation of the energy system is complete, and as applicable, the role of the Oversight Board with respect to energy sector regulation should be as follows based on its rights, powers, and duties in PROMESA:

- *IRP*: The Oversight Board approves revenue requirements and expenditures, including a capital plan, in the New Fiscal Plan for PREPA. PREPA's Fiscal Plan should be informed by the results of the IRP and should provide a clear framework for executing the modernization of generation resources.
- *Budget and ratemaking*: The Oversight Board approves a yearly budget for PREPA that aligns with PREPA's Fiscal Plan and thus should align with revenue requirements and expenditures.
- *Utility debt*: The Oversight Board approves restructuring of existing debt through the Plan of Adjustment for PREPA.
- *Transformation*: As the representative of PREPA in Title III, the Oversight Board has the exclusive right to file a plan of adjustment, which will contain the transformation agreements.

Contributions in-lieu of taxes

PREPA also intends to reform the contributions in-lieu of taxes program (CILT) in order to strengthen the utility's financial position and ultimately lower rates. PREB has approved a pass-through rider to fund the revised CILT program. PREPA, PREB, and the Commonwealth should collaborate with municipalities and other stakeholders to implement and enforce the revised CILT program. Efforts should be made to ensure compliance with the program, whereby municipal power consumption counted towards a contribution in-lieu of taxes (effectively power exempt from payment) is capped at an agreed level and PREPA is reimbursed for any power sales to municipalities above the established cap.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Infrastructure Reform and Capital Investment (Chapter 10)

When creating a reconstruction plan, it is imperative to build a central capability with the skills and mandate to design an overall recovery portfolio and oversee efficient project delivery. As such, the Government created the Central Office for Recovery, Reconstruction and Resiliency (COR3) as a Division of the P3 Authority to lead the coordination, development, and execution of long-term recovery and reconstruction efforts. The COR3 has been created based on leading practices used in many jurisdictions, including New Jersey, Louisiana, New York and New Zealand, to ensure higher accountability, transparency and coordination of disaster recovery efforts.

The COR3 should commit itself to a decision-making framework that incorporates not only the degree of damage, but also the future level of service required from the asset and future risks to that asset, when deciding how that asset should be rebuilt. New York and New Jersey received ~\$10 billion in Section 428 funding post Hurricane Sandy, which decreased their vulnerability and helped ensure that capital dollars spent then did not simply have to be re-spent cleaning up after the next storm. The COR3 should aggressively pursue next level resiliency activities with federal dollars, to ensure that Puerto Rico's critical assets are sufficiently protected from future hazards.

Specific COR3 activities should include:

- Developing, presenting and administering recovery action plans
- Financing, executing and effecting infrastructure projects related to recovery efforts
- Monitoring contracting for compliance and effectiveness purposes
- Implementing and enforce checks and balances for procurement and approval of contracts and payments
- Coordinating and channeling all efforts and activities of the Government related to recovery efforts
- Monitoring capital project delivery, focused on major projects, to ensure on-time, on-budget delivery, highlight risks of cost overrun or delay, and create transparency for overall capital program delivery, including recovery spending led by COR3 or another Commonwealth entity with capital delivery expertise.
- Capital program monitoring should include publicly publishing the list of projects, use of funds considered, and project level information including description and justification, cost, and impact on future operating budget

These best practices improve efficiency and transparency and should be applied to all areas of infrastructure expenditure of the Commonwealth including: reconstruction, construction and maintenance of government owned assets, and procurement of infrastructure through public corporations and Public-Private Partnerships (P3s).

The Government should pursue five sub-strategies:

- Set Commonwealth infrastructure priorities to guide investment
- Accelerate the pre-construction process
- Build sustainable funding models and financing strategies
- Promote procurement and delivery best practices
- Build the infrastructure of tomorrow

Office of the Chief Financial Officer (OCFO) (Chapter 11)

While the government has taken some action to establish the OCFO, formal legislation for the office's structure and governance has not been submitted or approved. Further action must be prioritized to make up for delays in the office's implementation plan and the resulting impact on staffing levels, timely decision-making and achievement of savings.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

By centralizing all financial management functions per the 2019 Fiscal Plan, the OCFO would improve fiscal governance and forecasting, increase transparency, substantiate accountability, heighten internal controls, and improve stakeholder confidence in Puerto Rico's financial management. Most importantly, it will enable the Government to achieve fiscal responsibility and restore access to the capital markets, two cornerstones of PROMESA.

Core objectives of the OCFO must be as follows:

A) Centralize treasury and liquidity management

- Enforce and manage a consolidated Treasury Single Account for the Government; this involves consolidating visibility and control of all Government bank accounts, including CU accounts at private banks and creating a true Treasury Single Account. All other public entities should maintain zero balance sweep accounts
- Serve as the sole authority for new bank account creation and closure, as well as ongoing and ad-hoc liquidity reporting, monitoring and analysis. The OCFO must rationalize the bank account portfolio, optimize cash pooling/daily cash sweeps and treasury operations, and implement uniform accounts payable and disbursement prioritization policies, processes and reports

B) Enhance budget development process and improve monitoring / performance tracking

- Comply with the recently established Oversight Board budget guidelines and timeline to develop a budget that is consistent with the 2019 Fiscal Plan and easily traceable to the 2019 Fiscal Plan and the audited financials
- Forecast and manage receipt seasonality
- Oversee all tax decrees and tax agreements issues
- Operationalize the budget in the financial system to ensure consistency between accounts and facilitate monitoring of those accounts
- Estimate, protect, and enhance collections and revenue streams, and establish budgetary priorities and oversight, including effective expenditure controls and procurement reform

C) Drive standardization and integration of financial IT systems

- Comply with the recently established Oversight Board budget guidelines and timeline to develop a budget that is consistent with the 2019 Fiscal Plan and easily traceable to the 2019 Fiscal Plan and the audited financials

D) Ensure compliance with procurement, contracts, pensions, and human resources management policies

- Certify all contracts, bills, invoices, payroll, and other evidences of claims, demands or charges related to the central Government and all entities reliant on the Government's taxing authority, including prescribing forms of receipts, vouchers, bills and claims to be used by all agencies
- Manage centralized health insurance procurement and policy management
- Oversee human resources as well as all governmental payroll operations and all government-related financial transactions. The office must have the sole responsibility within the Government for reforming personnel policies, including the renegotiation of existing collective bargaining agreements ("CBAs") consistent with the 2019 Fiscal Plan objective to achieve budget savings and efficiencies, ensure enhanced delivery of governmental services, and negotiate all future CBAs to achieve the same ongoing results
- Implement uniform time, attendance, and overtime processes and payroll controls and reporting
- Implement the Single Employer Program to enable mobility of employees to fill critical needs

continue



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

E) Enhanced control mechanisms and oversight

- Implement processes to improve responsible stewardship of Puerto Rico's Special Revenue Funds. Additionally, ensure all dedicated revenue streams attributable to SRF have their funds first deposited in the newly established Treasury Single Account

F) Improve timeliness of CAFR (Comprehensive Annual Financial Report) and financial reporting

- Publish the FY2017 CAFR by December 2019 and the FY2018 CAFR by March 2020, and manage these to completion by resolving any issues that have caused the multiple delays to date
- Implement a new process for the publishing of the FY2018 and subsequent CAFRs within the established regulatory timeframes, and drive improvements in the process and quality of the data provided. All releases should implement the modified-accrual basis of accounting as required in PROMESA and leverage the new forecasting, e-settlement, and analytics capabilities to support all OCFO functions
- Enact effective 2019 Fiscal Plan measures implementation forecasting and actuals reporting
- Supervise property tax assessment reforms, prepare tax maps, and provide notice of taxes and special assessments

G) Centralize and validate management of funds, debt, and other financial transactions

- Maintain custody of all public funds, investments, and cash, and administer cash management programs to invest surplus cash
- Facilitate long-term and short-term borrowing programs
- Maintain control and accountability over all funds, property, and other assets controlled or managed by the Government, and oversee all tax decrees and tax agreements issued
- Publish an annual Tax Expenditure Report that identifies and quantifies all tax expenditures (including all tax exclusions, exemptions, adjustments, deductions, subtractions, credits, abatements, deferrals, rebates and special rules)

Agency Efficiencies (Chapter 12)

As of FY2018, the Government had approximately ~116,500 employees across 114 Executive Branch government agencies, as well as agencies within the Legislative and Judicial branches (excluding large instrumentalities, e.g., PREPA, PRASA, HTA UPR, COSSEC, GDB). With a total FY2018 General Fund budget of over \$9 billion, these agencies utilize **personnel and non-personnel resources that are outsized compared to the actual service needs of the people of Puerto Rico**. Compared with states serving similar populations, Puerto Rico remains an outlier in terms of sheer number of agencies: for example, as of 2018 Iowa only had 36 state agencies and Connecticut had 78. In addition, there are countless examples of **subpar service delivery** across the Government.

For instance, despite having 5+ agencies primarily dedicated towards the financial stewardship of the Island, the Government has been unable to report consistently accurate financial statements on a timely basis. In addition, Puerto Rico's education system has consistently delivered unsatisfactory student outcomes, including below-U.S. mainland graduation rates and standardized test scores are far below basic proficiency.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Moving forward, the right-sized Government of the future should wherever possible reflect mainland U.S. benchmarks in terms of both number of agencies and size of agencies themselves to **deliver services in as efficient a manner as possible**. As part of the new Government model, the Government should **consolidate the 114 agencies into no more than 42 agency groupings and independent agencies**. In some cases, the consolidations are designed to better focus the competing efforts of multiple agencies, such as the Economic Development grouping, which will consolidate ten agencies into one. In other cases, the consolidations should serve to move services closer to residents, such as the Healthcare grouping, which will consolidate access points to important services like Medicaid. In all cases, fiscal measures will be applied to improve the quality of the underlying services, especially in the case of PRDE. Across all agencies, the ultimate goal should be to drive efficiencies to improve services for the population while achieving the cost savings required to sustain a fiscal transformation.

Exhibit 40 of the Fiscal Plan shows total savings that must be achieved from personnel, non-personnel, compensation and utilities agency efficiency measures. Total savings are \$371 million by FY2019 through \$1,557 by FY 2024. Specific target is described for the following departments (agencies): Department of Education, Department of Health, Department of Public Safety, Department of Corrections and Rehabilitation, Treasury Department / Office of the CFO, Department of Economic Development, Legislative Assembly, General Court of Justice, Election Commission, Transfer of ownership of WIPR, and other agency

Healthcare Reform (Chapter 13)

The goal of the Puerto Rican public health insurance system is to fund high-quality health care services to all residents in need and, in doing so, cultivate a healthier population, especially as it relates to lowering outsized rates of chronic conditions. To ensure the system can continue to support the most vulnerable populations who rely on its services, Puerto Rico will need to improve the efficacy of its health insurance plan, specifically “bending the curve” on premium inflation reflective of escalating costs for health care delivery on the Island.

Reflective of reduced enrollments, post-hurricane implementation challenges (e.g., provider shortages), and the importance of delivering quality care to the ~38% of Puerto Ricans who rely on Vital for medical insurance, this 2019 Fiscal Plan reduces the total savings target across FY2020-FY2024 by \$1.4 billion and adjusts the ramp-up of expenditure reduction measures to provide additional time for implementation. Total run-rate savings must reach ~\$638 million by FY2024 (off the FY2024 baseline of approximately \$3.3 billion). After FY2024, the savings continue to increase as baseline expenditures increase (**Exhibit 65**), but absent further action by future governments, the per capita cost of healthcare will grow with long-term healthcare inflation rates, creating a significant deficit. The Government will still act urgently to implement value-based reforms that deliver both improvements in health services and savings to the Commonwealth, including building the infrastructure and data systems required to execute more advanced payment reform models and quality monitoring across the Island.

The measure savings in the 2019 Fiscal Plan are designed to lower premium expenditures across the multiple public health programs on the Island (namely Medicaid and CHIP). Due to the nature of the CHIP reimbursement program, the targets recognize that the federal government will realize ~5% of premium expenditure savings at run-rate based on current statute. In FY2020, the federal government will realize an even larger share of premium savings given the continuance of BBA and ACA funding in the first half of the fiscal year. While the Government must achieve all savings to curb long-term costs, the 2019 Fiscal Plan surplus will only consider savings that accrue to the Commonwealth.

Saving should be obtained by:

- Implement a single region managed care model
- Enrollment verification
- Reduce fraud, waste, and abuse (FWA)
- Implement a uniform fee schedule for providers

continue



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

- Improve quality relative to cost
- Reduce pharmacy spend
- Cost-sharing
- Optional benefits

Tax Compliance and Fees Enhancement (Chapter 14)

Recent compliance efforts in the Commonwealth have largely focused on collections outreach activities, obtaining one-time back taxes owed through a collections call center, flexible payment plans, and a large corporate taxpayer-focused team (with a longer-term goal of establishing a permanent separate unit). In the future, emphasis should shift towards initiatives that promote a culture of compliance to boost voluntary payment. The goal should be to reduce the cost of compliance while simultaneously raising the cost of non-compliance, through a combination of an increased likelihood of being caught while not paying taxes owed and more effective and enforceable penalties.

- Use new systems and processes to identify and remediate non-payment
- Reduce the complexity of the tax system and process of filing taxes
- Institute advanced analytics and broad-reach, low-touch correspondence audits.
- Collecting SUT on Internet sales

Implement by FY 2019 the right-rate other taxes and fees as follow:

- Gaming tax
- Licenses and other fees
- Tobacco taxes
- Medical marijuana tax
- Airbnb Tax

Reduction in Appropriations to UPR and Municipalities (Chapter 15)

In FY2018, UPR was 67% subsidized (~\$678 million in annual appropriations) by state and local funds, compared to an average 25% state-to-local subsidization for US public universities nationally. At that time, UPR's undergraduate tuition was less than one-third of the US average for public universities even after adjusting for per-capita income and consisted of 11 independent campuses with minimal shared services or administrative consolidation.

A reduction of the appropriation for UPR was determined in 2017 through a shared process with the Government to identify reasonable, sustainable measures to bring UPR closer to US mainland public university tuition and administrative cost benchmarks, while maintaining (and in many cases improving) the performance of the system, which serves as a primary economic growth engine of the Island.

The April 2018 Fiscal Plan created a means-based scholarship fund for UPR, which will generate \$39 million in investment funds in FY2020, and which will be used to help build up an endowment to pay for need-based scholarships for UPR students. Specifically, the savings will fund an independent endowment for needs-based scholarships for students at UPR, which will be managed by Puerto Rico Treasury Department (OCFO).

To incentivize municipal operational changes, the Commonwealth must reduce the current level of municipal appropriations. In FY2018, the total municipal appropriation was reduced by \$150 million, bringing the new baseline appropriations to ~\$220 million per year. Going forward from this current baseline, there must be a reduction in each successive year, holding appropriations constant at roughly 45-50% of current levels starting in FY2022 before ultimately phasing out all subsidies in FY2024.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Consolidating services across multiple municipalities can help reduce cost by leveraging scale, especially in areas of services provided directly to residents, including public works and infrastructure, public safety, family services, education, and housing. Prior to Hurricanes Irma and Maria, Estudios Técnicos estimated that operating expenditure reduction measures, in part from municipal service sharing, could result in a potential combined fiscal impact of ~\$150-\$450 million.

The Commonwealth should pursue several initiatives to incentivize and streamline consolidation:

- Offer financial incentives (e.g., remaining municipal subsidy) for municipalities who hit targets
- Provide transparency into service performance by creating performance metrics and publishing the results, benchmarked against peer municipalities
- Develop and operate service provision collectives
- Streamline legal frameworks to remove any barriers to collaboration between municipalities (e.g., liability issues); for example, the Government can pass legislation like New Jersey's 2007 Uniform Shared Services and Consolidation Act to formalize accountability for pursuing shared services by placing the onus on local leadership

Property tax reform

In partnership with the Municipal Revenues Collection Center (CRIM), the municipalities should identify and register tens of thousands of non-registered properties to begin collecting tax on them, and re-categorize misclassified properties (e.g., residential properties marked as commercial). Additionally, CRIM can streamline collection activities and use proven compliance practices, such as advanced analytics to identify non- or under-payment, to raise payment rates. Based on implementation planning discussions in August 2017, CRIM estimated these initiatives could produce:

- \$150 million of increased revenue from raising property tax compliance from 68% to 85%
- \$150-200 million from registering properties not on the rolls
- \$500 million of capturable back property taxes owed (from \$1.3 billion total owed)
- Lastly there is an additional, not yet sized, opportunity from reclassifying commercial properties incorrectly listed as residential and updating property valuations

Pension Reform (Chapter 16)

Expenditures are being reduced throughout the Commonwealth's budget and contractual debt service remains unaffordable. Retirement plan participants, like other unsecured claimholders, face a reduction in the amounts paid to them by the Commonwealth. A 10% average reduction in pensions is appropriate and necessary. The goal is a balanced approach to restore fiscal health to Puerto Rico while ensuring that cuts to retirement benefits occur in a progressive manner that protects any retirees from falling into poverty. The level of cuts to pension benefits is also in line with reductions in other government systems facing pension funding crises.

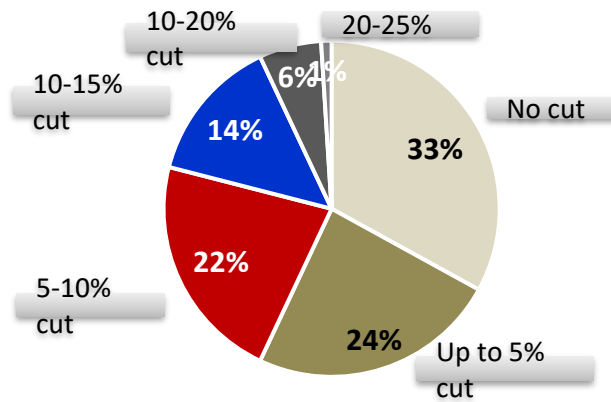
Although the average benefit reduction will be 10%, there will be no reduction for those with total retirement plan benefits (including assumed Social Security of \$400 for non-police ERS members for whom the employer pays Social Security taxes) below the poverty level of \$1,000 per month. This formula is equivalent to giving each beneficiary a reduction of 25% in the monthly benefits they receive in excess of \$600 or \$1,000. These dollar figures will be adjusted in future years consistent with increases in the federal poverty threshold.



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

Under this approach, about 36% of retirees would receive no reduction in their benefits and an additional 22% of retirees will experience a benefit reduction of 5% or less. Therefore, in total, approximately 80% of retirees will experience a benefit reduction of 10% or less, and over 90% of retirees will experience a benefit reduction of 15% or less. Very few retirees will have more than a 20% reduction, and none will have a reduction of 25% or more. For 2019 Fiscal Plan entities only, the effect of the reform would be 33% of retirees with no reduction, and 24% with <5% reduction (see graph below).

This formula will also apply to benefits earned by current employees who have yet to retire.



The 10% reduction shall take effect starting in FY2020 to have sufficient time to implement it following the Plan's enactment.

Covering more government workers in Social Security

Currently, teachers, police officers, and judges do not participate in Social Security. They do not pay into the program, nor does the Government make a Social Security contribution on their behalf. Unlike other ERS members, teachers, police officers, and judges are entirely reliant on their government pensions for income in retirement. This places them at risk when government retirement plans are poorly funded.

Covering these workers under Social Security will provide them with diversified sources of income in retirement, and Social Security's progressive benefit formula will provide a stronger safety net for lower-paid employees. Workers will typically earn greater retirement benefits under Social Security based on a 6.2% employee contribution and a 6.2% employer (government) match, than they would in a DC plan funded only with a 6.2% contribution. For example, a typical full-career government employee retiring with a salary of \$35,000 will be entitled to a Social Security benefit of approximately \$16,000, in addition to the benefit the employee builds in their defined contribution retirement account.

The 2019 Fiscal Plan includes the enrollment of all police in Social Security beginning in July 1, 2019; however, this requires the Government to first timely implement certain changes to police pension programs. The 2019 Fiscal Plan includes the enrollment of teachers and judges under the age of 45 in Social Security as of January 1, 2020, coincident with the plan freeze.

Ensuring Successful Implementation and Fiscal Controls (Chapter 17)

The fiscal and structural reforms described in the 2019 Fiscal Plan represent a significant and transformative effort across the Government. As such, there are strict reporting requirements needed to ensure savings and growth targets are being achieved on time, and to identify any major risks to reform in order to course correct at an early stage.

continue



27. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT (PROMESA) – continuation

To date, however, the Government has struggled with implementing reforms and reporting on this implementation in timely manner. For example, the April 2018 Fiscal Plan required that implementation plans be submitted for all major reforms by June 30, 2018. The Government did not submit many implementation plans until September 2018 – and took as long as April 2019 to submit some. Progress has as a result been inconsistent and incomplete, and many agencies appear unprepared to meet FY2020 savings targets. While some progress on measures has been made, many reforms are delayed or not occurring. In cases where certain reforms will not occur, the Government must find these savings through other means.

The Government shall produce monthly performance reports, which shall be submitted to the Oversight Board on the 15th of each month, demonstrating the progress made on all key reform areas. Agency efficiency savings that have been realized should be broken down by grouping and agency across payroll and non-payroll savings (as well as on an object level where needed) and display the performance of the realized agency efficiency savings for each agency against the projections as set forth herein. Reporting shall also include detail on use of funds for professional services, as well as within the “englobadas” cost concept, such that these expenses can be appropriately managed. To date, only ~50% of agency groupings have consistently provided implementation reporting. The Government must improve reporting such that it and the Oversight Board can hold agencies accountable for achieving savings.

If, after any fiscal quarter the projected agency efficiency savings for any grouping is not realized, the shortfall from that fiscal quarter will be added to the agency efficiency savings target for the corresponding grouping for the following quarter.

If, based on the quarterly performance reports and any other information the Oversight Board deems appropriate, the Oversight Board concludes there is underperformance in agency efficiency savings for any grouping, the Oversight Board will take measures to enforce reductions in the amount of unrealized savings in the following fiscal quarter for the corresponding grouping, reserving all rights under PROMESA, including but not limited to those under Section 201(e), Section 202(b), and Section 202(e), to do so.

Municipalities Fiscal and Budgetary Measures

Pursuant to Section 101 of PROMESA and the resolution adopted by the Oversight Board at its May 9, 2019 meeting, the Oversight Board designated all 78 municipalities as Covered Territorial Instrumentalities subject to the requirements of PROMESA.

In terms of the submission of Instrumentality Fiscal Plans and Instrumentality Budgets required by Section 101(d)(1)(E) of PROMESA, the Oversight Board has determined in its resolution adopted at its May 9, 2019 meeting, to apply this provision to an initial group of 10 municipalities as a pilot for assessing and enhancing municipal financial and budgetary practices, and for developing economic development strategies to address municipal fiscal challenges. The 10 municipalities were selected considering a combination of factors such as fiscal challenges, impact of the reduction of transfers from the Central Government, and their experience implementing innovative and creative initiatives and collaborating with other municipalities. The selected municipalities are: Quebradillas, Camuy, Isabela, San Sebastián, Orocovis, Barranquitas, Villalba, Aibonito, Comerío and Cidra.

The Governor must provide to the Oversight Board for each of these municipalities with an Instrumentality Fiscal Plan (“Municipal Fiscal Plan”), which should be developed in accordance with the outline provided, and an Instrumentality Budget (“Municipal Budget”) for certification. To facilitate the process of developing such fiscal plans and budgets, and in recognition of the autonomy of the municipalities, the Board intends to work directly with the municipalities during such process.

continue



28. RECENTLY ADOPTED ACCOUNTING STANDARDS

The provisions of the following Governmental Accounting Standards Board (GASB) Statements are effective for financial statements for periods beginning after June 15, 2018 (FY 2018-2019) and have been implemented when applicable during the year ended June 30, 2019:

GASB Statement No. 83, *Certain Asset Retirement Obligations*. This Statement addresses accounting and financial reporting for certain asset retirement obligations (AROs). An ARO is a legally enforceable liability associated with the retirement of a tangible capital asset. A government that has legal obligations to perform future asset retirement activities related to its tangible capital assets should recognize a liability based on the guidance in this Statement.

This Statement establishes criteria for determining the timing and pattern of recognition of a liability and a corresponding deferred outflow of resources for AROs. This Statement requires that recognition occur when the liability is both incurred and reasonably estimable. The determination of when the liability is incurred should be based on the occurrence of external laws, regulations, contracts, or court judgments, together with the occurrence of an internal event that obligates a government to perform asset retirement activities. Laws and regulations may require governments to take specific actions to retire certain tangible capital assets at the end of the useful lives of those capital assets, such as decommissioning nuclear reactors and dismantling and removing sewage treatment plants. Other obligations to retire tangible capital assets may arise from contracts or court judgments. Internal obligating events include the occurrence of contamination, placing into operation a tangible capital asset that is required to be retired, abandoning a tangible capital asset before it is placed into operation, or acquiring a tangible capital asset that has an existing ARO.

This Statement requires the measurement of an ARO to be based on the best estimate of the current value of outlays expected to be incurred. The best estimate should include probability weighting of all potential outcomes, when such information is available or can be obtained at reasonable cost. If probability weighting is not feasible at reasonable cost, the most likely amount should be used. This Statement requires that a deferred outflow of resources associated with an ARO be measured at the amount of the corresponding liability upon initial measurement.

This Statement requires the current value of a government's AROs to be adjusted for the effects of general inflation or deflation at least annually. In addition, it requires a government to evaluate all relevant factors at least annually to determine whether the effects of one or more of the factors are expected to significantly change the estimated asset retirement outlays. A government should remeasure an ARO only when the result of the evaluation indicates there is a significant change in the estimated outlays. The deferred outflows of resources should be reduced and recognized as outflows of resources (for example, as an expense) in a systematic and rational manner over the estimated useful life of the tangible capital asset.

A government may have a minority share (less than 50 percent) of ownership interest in a jointly owned tangible capital asset in which a nongovernmental entity is the majority owner and reports its ARO in accordance with the guidance of another recognized accounting standards setter. Additionally, a government may have a minority share of ownership interest in a jointly owned tangible capital asset in which no joint owner has a majority ownership, and a nongovernmental joint owner that has operational responsibility for the jointly owned tangible capital asset reports the associated ARO in accordance with the guidance of another recognized accounting standards setter. In both situations, the government's minority share of an ARO should be reported using the measurement produced by the nongovernmental majority owner or the nongovernmental minority owner that has operational responsibility, without adjustment to conform to the liability measurement and recognition requirements of this Statement.

In some cases, governments are legally required to provide funding or other financial assurance for their performance of asset retirement activities. This Statement requires disclosure of how those funding and assurance requirements are being met by a government, as well as the amount of any assets restricted for payment of the government's AROs, if not separately displayed in the financial statements.

continue



28. RECENTLY ADOPTED ACCOUNTING STANDARDS – continuation

This Statement also requires disclosure of information about the nature of a government's AROs, the methods and assumptions used for the estimates of the liabilities, and the estimated remaining useful life of the associated tangible capital assets. If an ARO (or portions thereof) has been incurred by a government but is not yet recognized because it is not reasonably estimable, the government is required to disclose that fact and the reasons therefor. This Statement requires similar disclosures for a government's minority shares of AROs.

GASB No. 83 does not have any impact on the Municipality's financial statements.

GASB Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements.* The primary objective of this Statement is to improve the information that is disclosed in notes to government financial statements related to debt, including direct borrowings and direct placements. It also clarifies which liabilities governments should include when disclosing information related to debt.

This Statement defines debt for purposes of disclosure in notes to financial statements as a liability that arises from a contractual obligation to pay cash (or other assets that may be used in lieu of cash) in one or more payments to settle an amount that is fixed at the date the contractual obligation is established.

This Statement requires that additional essential information related to debt be disclosed in notes to financial statements, including unused lines of credit; assets pledged as collateral for the debt; and terms specifies in debt agreements related to significant events of default with finance-related consequences, significant termination events with finance-related consequences, and significant subjective acceleration clauses. For notes to financial statements related to debt, this Statement also requires that existing and additional information be provided for direct borrowings and direct placements of debt separately from other debts.

The requirements of this Statement will improve financial reporting by providing users of financial statements with essential information that currently is not consistently provided. In addition, information about resources to liquidate debt and the risk associated with changes in terms associated with debt will be disclosed. As a result, users will have better information to understand the effects of debt on a government's future resources flows.

GASB No. 88 does not have any impact on the Municipality's financial statements.

29. SUBSEQUENT EVENTS

On March 15, 2020, the Government of Puerto Rico lockdown most of government and private business operations in Puerto Rico in order to avoid the spreading of the COVID-19 infection among the people in Puerto Rico. This situation will have an economic impact over the Municipality, as exceptions and dates for filing taxes were waived for more than 3 months. The economic damages to the Municipality finances could not been estimated at this time. On March 19, 2020, the OMB issued the memorandum M-20-17, Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations, which provided administrative remedies for entities impacted by COVID-19. Among other remedies, provides for awarding agencies, in their capacity as cognizant or oversight agencies for audit, should allow recipients and subrecipients that have not yet filed their single audits with the Federal Audit Clearinghouse as of the date of the issuance of this memorandum that have fiscal year-ends through June 30, 2020, to delay the completion and submission of the Single Audit reporting package, as required under Subpart F of 2 CFR § 200.501 -Audit Requirements, to six (6) months beyond the normal due date.

In preparing these financial statements, the Municipality has evaluated significant transactions for potential recognition or disclosure through April 1, 2020, the date the financial statements were issued. Based on such analysis, no additional transaction needs to be recorded or disclosed.

END OF NOTES

Required Supplementary Information

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COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS

SCHEDULE OF REVENUES AND EXPENDITURES BUDGET AND
ACTUAL – GENERAL FUND NON-GAAP BUDGETARY BASIS
FOR THE FISCAL YEAR ENDED JUNE 30, 2019

	Budget Amounts		Actual Amounts	Variance with
	Original	Final	(Budgetary Basis) (See Notes 1 and 2)	Final Budget
Resources (Inflows):				
Property Taxes	\$ 26,964,123	\$ 26,964,123	\$ 27,760,268	\$ 796,145
Volume of Business Taxes	22,860,300	22,860,300	25,933,040	3,072,740
Sales and Usage Taxes	16,919,000	16,919,000	18,398,758	1,479,758
Construction Excise Taxes	8,315,000	8,315,000	4,865,847	(3,449,153)
Intergovernmental Revenues	5,279,371	5,279,371	4,279,371	(1,000,000)
Interest	50,000	50,000	181,906	131,906
Rent and Other Resources	1,709,645	1,709,645	1,648,751	(60,894)
Fines and Penalties	610,000	610,000	804,710	194,710
Total Resources (Inflows)	82,707,439	82,707,439	83,872,651	1,165,212
Charges to Appropriations (Outflows):				
General Government	42,132,937	44,205,666	43,802,191	403,475
Public Safety	7,682,750	7,023,361	6,876,493	146,868
Public Works	8,209,038	7,878,021	7,723,250	154,771
Culture and Recreation	3,362,122	3,186,512	3,064,402	122,110
Health and Welfare	1,817,437	1,665,130	1,579,874	85,256
Economic and Social Development	3,214,102	3,170,862	3,085,403	85,459
Housing	734,149	700,062	655,508	44,554
Sanitation and Environmental	13,931,679	13,342,760	13,193,805	148,955
Education	1,623,225	1,535,066	1,511,580	23,486
Total Charges to Appropriations	82,707,439	82,707,439	81,492,506	1,214,933
Excess of Appropriations Over Resources	\$ -	\$ -	\$ 2,380,145	\$ 2,380,145

The notes to the required supplementary information are an integral part of this schedule.



1. RECONCILIATION OF BUDGET/ GAAP

The schedule presents comparisons of the legally adopted budget with actual data on a budget basis. Because accounting principles applied for purposes of developing data on a budget basis differ significantly from those used to present financial statements in conformity with GAAP, a reconciliation of perspective, timing, and basis of accounting differences in the net change in fund balance for the year ended June 30, 2019 is presented below for the general fund.

2. EXPLANATION OF DIFFERENCES BETWEEN BUDGETARY INFLOWS AND OUTFLOWS AND GAAP REVENUES AND EXPENDITURES

	<u>General Fund</u>
Sources/Inflows of Resources:	
Actual Amounts (Budgetary Basis) "Available for Appropriation" from the Budgetary Comparison Schedule (See Page 137)	\$ 83,872,651
Difference – Budget to GAAP:	
Transfers from Other Funds are inflows of budgetary resources but are not revenues for financial reporting purposes	(533,426)
Basis of accounting:	
Net change in assets and deferred inflow of resources	2,186,316
Perspective Difference:	
Non Budgetary items - Revenues of Other Funds	<u>9,665,325</u>
Total Revenues as Reported on the Statement of Revenues, Expenditures and Changes in Fund Balance (See Page 30)	<u>\$ 95,190,866</u>
Uses/Outflows of Resources:	
Actual Amounts (Budgetary Basis) "Total Charges to Appropriation" from the Budgetary Comparison Schedule (See Page 137)	\$ 81,492,506
Difference – Budget to GAAP:	
Perspective Difference:	
Non Budgetary items - Expenditures of Other Funds	13,692,629
Other Items - Non budgetary	(685,278)
Timing Difference:	
Encumbrances for supplies and equipment ordered but not received are reported in the year the order is placed for budgetary reporting purposes	(785,507)
Payments of encumbrances of prior year that are expenditures for financial reporting purposes but are not outflows for budgetary purposes	999,093
Transfers to Other Funds are outflows of budgetary resources but are not expenditures for financial reporting purposes	<u>(10,757,450)</u>
Total Expenditures as Reported on the Statement of Revenues, Expenditures and Changes in Fund Balance (See Page 30)	<u>\$ 83,955,993</u>

END OF NOTES



REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF PROPORTIONATE SHARE
OF THE NET PENSION LIABILITY
FOR THE FISCAL YEAR ENDED JUNE 30, 2019

	2015	2016	2017
Proportion of the Net Pension Liability **	0.60206%	0.61548%	0.62621%
Proportionate Share of the Net Pension Liability	\$ 181,452,720	\$ 205,183,593	\$ 236,074,839
Covered - Employee Payroll	\$ 21,006,307	\$ 20,429,505	\$ 20,942,983
Proportionate Share of the Net Pension Liability as Percentage of Covered-Employee Payroll	863.80%	1004.35%	1127.23%
Plan's Fiduciary Net Position	\$ 485,654	\$ (4,113,081)	\$ (7,927,147)
Plan Fiduciary Net Position as a Percentage of the Net Pension Liability	0.27%	-2.00%	-3.36%

Notes to Schedule:

Benefit Changes: In 2015, benefit terms were modified to base public safety employee pensions on a final three-year average salary instead of a final five-year average salary. Beginning July 1, 2017 the pension benefits was paid through pay-as-you-go method.

Changes Assumptions: In 2015, amounts reported as changes in assumptions resulted primarily from adjustments to expected retirement ages of general employees.

* Fiscal year 2015 was the first year of implementation, therefore only three years are shown.

The first measurement date used was June 30, 2014.

Data Reference: Employees' Retirement System of the Government of the Commonwealth of Puerto Rico; Actuarial Valuation Report

** The Schedule of Proportionate Share for 2015 through 2016 are audited.



	2015	2016	2017
Contractually Required Contribution (Actuarially Determined)	\$ 6,291,484	\$ 8,678,268	\$ 9,700,052
Contributions in Relation to the Actuarially Required Contributions	<u>4,520,621</u>	<u>4,719,716</u>	<u>4,988,182</u>
Contribution Deficiency (Excess)	<u>\$ 1,770,862</u>	<u>\$ 3,958,552</u>	<u>\$ 4,711,870</u>
Covered - Employee Payroll	\$ 21,006,307	\$ 20,429,505	\$ 20,942,983
Contributions as a Percentage of Covered-Employee Payroll	21.52%	23.10%	23.82%

Methods and Assumptions Used in Calculation of the ERS's Annual Required Contributions

Unless otherwise noted above, the following actuarial methods and assumptions were used to determine contribution rates reported in the Pension Benefits Schedule of the Employers' Contributions:

Assets Valuation Method	Market Value of Assets
Inflation	2.5%
Investment Rate of Return	6.55%, Net of Pension Plan Investment, Including Inflation
Municipal Bond Index	3.80%, as per Bond Buyer General Obligation 20 — Bond Municipal Bond Index
Discount Rate	2.85%
Projected Salary Increases	3.00% per year. No compensation increases are assumed until July 1, 2017 as a result of Act No. 66 and the current general economy.
Mortality	<p>Pre-retirement Mortality:</p> <p>For general employees not covered under Act No. 127, RP-2014 Employee Mortality Rates for males and females adjusted to reflect Mortality Improvement Scale MP-2016 from the 2006 base year, and projected forward using MP-2016 on a generational basis. For members covered under Act 127, RP-2014 Employee Mortality Rates with blue collar adjustments for males and females adjusted to reflect Mortality Improvement Scale MP-2016 from the 2006 base year, and projected forward using MP-2016 on a generational basis. As generational tables, they reflect mortality improvements both before and after measurement date.</p> <p>100.0% of deaths while in active service are assumed to be occupational for members covered under Act No. 127.</p> <p>Post-retirement Healthy Mortality:</p> <p>Rates which vary by gender are assumed for healthy retirees and beneficiaries based on a study of plan's experience from 2007 to 2012 and updated expectations regarding future mortality improvement. The 2010 base rates are equal to 92% of the rates from the UP-1994 Mortality Table Males and 95% of the rates from the UP-1994 Mortality Table Females, both projected from 1994 to 2010 using Scale AA. These base rates are projected using Mortality Improvement Scale MP-2016 on a generational basis. As a generational table, it reflects mortality improvements both before and after the measurement date.</p> <p>Post-retirement Disabled Mortality:</p> <p>Rates which vary by gender are assumed for disabled retirees based on a study of plan's experience from 2007 to 2012 and updated expectations regarding future mortality improvement. The 2010 base rates are equal to 105% of the rates from the UP-1994 Mortality Table Males and 115% of the rates from the UP-1994 Mortality Table Females, both projected from 1994 to 2010 using Scale AA. These base rates are projected using Mortality Improvement Scale MP-2016 on a generational basis. As a generational table, it reflects mortality improvements both before and after the measurement date.</p>



1. The Municipality implemented GASB Statement No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, during fiscal year 2015, and these schedules are now required.
2. This information is intended to help users assess the Municipality's pension plan's status on a going-concern basis, assess progress made in accumulating assets to pay benefits when due, and make comparisons with other public employers.
3. The information presented relates solely to the Municipality and not Employee's Retirement System of the Government of the Commonwealth of Puerto Rico as a whole.

END OF NOTES

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**Supplementary Information Required by U.S. Department of
Housing and Urban Development**

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<u>Line Item No.</u>	<u>Assets</u>	<u>Value</u>
	Current Assets - Cash:	
111	Cash - Unrestricted	\$ 933,188
113	Cash - Other Restricted	106,090
115	Cash - Restricted for Payment of Current Liabilities	<u>589</u>
100	Total Cash	<u>1,039,867</u>
	Receivables:	
121	Accounts Receivable - PHA Projects	6,339
128	Fraud Recovery	62,927
128.1	Allowance for Doubtful Accounts - Fraud Recovery	<u>(62,927)</u>
120	Total Receivables, Net of Allowances for Doubtful Accounts	<u>6,339</u>
150	Total Current Assets	<u>1,046,206</u>
	Fixed Assets:	
164	Furniture, Equipment & Machinery - Administration	525,632
166	Accumulated Depreciation	<u>(444,150)</u>
160	Total Capital Assets, Net of Accumulated Depreciation	<u>81,482</u>
190	Total Assets	<u>1,127,688</u>
200	Deferred Outflow of Resources	<u>-</u>
290	Total Assets and Deferred Outflow of Resources	<u>\$ 1,127,688</u>



**Liabilities
and Equity**

Liabilities:		
Current Liabilities:		
312	Accounts Payable <=90 days	\$ 58,909
322	Accrued Compensated Absences - Current Portion	21,157
331	Accounts Payable - HUD PHA Programs	589
332	Accounts Payable - PHA Projects	25,736
333	Accounts Payable - Other Government	111,131
310	Total Current Liabilities	217,522
Non-current Liabilities:		
354	Accrued Compensated Absences - Non-Current	148,937
350	Total Non-Current Liabilities	148,937
300	Total Liabilities	366,459
200	Deferred Outflow of Resources	-
Equity:		
508.4	Net Investment in Capital Assets	81,482
511.4	Restricted Net Position	80,354
512.4	Unrestricted Net Position	599,393
513	Total Equity / Net Position	761,229
600	Total Liabilities, Deferred Inflow of Resources and Equity / Net Position	\$ 1,127,688



<u>Line Item No.</u>		<u>Value</u>
Revenues		
70600	HUD PHA Operating Grants	\$ 8,166,051
71100	Investment Income - Unrestricted	13,556
71400	Fraud Recovery	27,226
71500	Other Revenue	<u>302,420</u>
70000	Total Revenues	<u>8,509,253</u>
Expenses		
Administrative:		
91100	Administrative Salaries	422,688
91200	Auditing Fees	12,000
91500	Employee Benefit Contributions - Administrative	86,153
91600	Office Expenses	264,188
91800	Travel	100
91900	Other	<u>59,908</u>
91000	Total Operating - Administrative	<u>845,037</u>
General Expenses:		
96600	Bad Debts - Other	<u>-</u>
96000	Total Operating - General Expenses	<u>-</u>
96900	Total Operating Expenses	<u>845,037</u>
Excess of Operating Revenue over		
97000	Operating Expenses	<u>7,664,216</u>
97300	Housing Assistance Payments	7,225,343
97350	HAP Portability-In	278,448
97400	Depreciation Expense	<u>24,474</u>
90000	Total Expenses	<u>8,373,302</u>
Excess (Deficiency) of Total Revenue over		
10000	(under) Total Expenses	<u>\$ 135,951</u>
Memo Account Information:		
*11030	Beginning Equity	\$ 625,278
*11170	Administrative Fee Equity	\$ 680,875
*11180	Housing Assistance Payments Equity	\$ 80,354
*11190	Unit Months Available	15,900
*11210	Number of Unit Months Leased	15,189
*11640	Furniture and Equipment - Administrative Purchases	\$ 14,276



1. GENERAL

The accompanying Financial Data Schedules (FDS) includes the Section 8 Housing Choice Vouchers Program activities of the Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality). The information in the FDS is presented in accordance with the requirements of *HUD's Uniform Financial Reporting Standards for HUD Housing Programs*. Because the FDS presents only a selected portion of the operations of Municipality, it is not intended to and does not present the financial position, or change in net position of the Municipality.

Therefore, some amounts presented in this Schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements. The Municipality reporting entity is defined in Note (1) (A) to the basic financial statements.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Assets, Liabilities, Net Assets, Revenues and Expenses reported on the FDS, are reported on the full accrual basis of accounting. They are recognized following the *HUD's Uniform Financial Reporting Standards for HUD Housing Programs*.

3. RELATIONSHIP TO BASIC FINANCIAL STATEMENTS

Assets, Liabilities and Net Assets/Position are presented in the Municipality's *Statement of Net Position*. Revenues and Expenses are reported in the *Statement of Activities*.

END OF NOTES

PART II

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND REPORTS REQUIRED BY GOVERNMENT AUDITING
STANDARDS AND UNIFORM GUIDANCE**

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**COMMONWEALTH OF PUERTO RICO
AUTONOMOUS MUNICIPALITY OF CAGUAS**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

<i>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</i>	<i>Federal CFDA Number</i>	<i>Pass-Through Entity Identifying Number</i>	<i>Passed Through to Subrecipients</i>	<i>Total Federal Expenditures</i>
U.S. Department of Agriculture Program:				
Farmers' Market and Local Food Promotion Program	10.168		\$ -	\$ 21,819
Community Facilities Loan Program	10.766		-	900,660
<i>Sub-Total Direct Programs</i>			-	922,479
Pass-Through the Puerto Rico Department of Education:				
Child and Adult Care Food Program	10.558	CCC-003	-	929,228
<i>Total U.S. Department of Agriculture Program</i>			-	1,851,707
U.S. Department of Housing and Urban Development Programs:				
Community Development Block Grant/Entitlements Grant	14.218		-	1,897,726
Emergency Solutions Grant Program	14.231		108,283	118,452
Home Investment Partnership Program (HOME)	14.239		-	306,014
Continuum of Care Program	14.267		-	139,085
Section 8 Housing Choice Vouchers Program	14.871		-	8,364,906
<i>Sub-Total Direct Programs</i>			108,283	10,826,183
Pass-Through the Puerto Rico Department of Family:				
Emergency Solutions Grant Program	14.231		-	10,180
<i>Total U.S. Department of Housing and Urban Development Programs</i>			108,283	10,836,363
U.S. Department of Justice Programs:				
Public Safety Partnership and Community Policing Grant	16.710		-	87,936
Pass-Through the Puerto Rico Department of Justice:				
Crime Victim Assistance	16.575	2015-VA-GX-0039	-	173,819
<i>Total U.S. Department of Justice Programs</i>			-	261,755
U.S. Department of Transportation Programs:				
Pass-Through the Puerto Rico Traffic Safety Commission:				
Provisions of Special Operations/ Prev. Maint/ Paratransit Services	20.507	PR-2017-003-00	-	102,606
Highway Safety Cluster Programs:				
Alcohol Impaired Driving Countermeasures Incentive Grants	20.601	19-01-52	-	77,074
Occupant Protection Incentive Grants	20.602	19-05-54	-	40,765
<i>Total Highway Safety Cluster Programs</i>			-	117,839
<i>Total U.S. Department of Transportation Programs</i>			-	220,445

continue



<u>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</u>	<u>Federal CFDA Number</u>	<u>Pass-Through Entity Identifying Number</u>	<u>Passed Through to Subrecipients</u>	<u>Total Federal Expenditures</u>
U.S. National Endowment for the Humanities (NEH):				
Promotion of the Humanities Division of Preservation and Access	45.149		\$ -	\$ 36,304
<i>Total U.S. National Endowment to the Humanities (NEH)</i>			-	36,304
U.S. Environmental Protection Agency Program:				
Brownfields Assessment and Cleanup Cooperative Agreements	66.818		-	21,918
<i>Total U.S. Environmental Protection Agency Program</i>			-	21,918
U.S. Department of Education Programs:				
Pass-Through the Puerto Rico Department of Education:				
Adult Education – Basic Grants to States	84.002	A000710	-	1,517
Twenty-First Century Community Learning Centers	84.287	2016-AF0047-A/AF0047	-	507,512
<i>Total U.S. Department of Education Programs</i>			-	509,029
U.S. Department of Health and Human Services Programs:				
Head Start Program	93.600		-	16,666,160
Head Start Disaster Assistance Program	93.356		-	26,760
Asset for Independence Demonstration Program	93.602		-	76,472
<i>Sub-Total Direct Programs</i>			-	16,769,392
Pass-Through the Puerto Rico Department of Family:				
Special Programs for the Aging-Title III, Part B Grants for Supportive Services and Senior Centers (Cluster)	93.044	140096R1	-	80,537
Special Programs for the Aging-Title III, Part C Nutrition Services (Cluster)	93.045	140097R1	-	72,646
Nutrition Services Incentive Program (Cluster)	93.053	140098R1/15000221	-	13,137
<i>Sub-Total Aging Cluster Programs</i>			-	166,320
Child Care and Development Block Grant	93.575	G1601PRCCDF	-	543,773
Family Violence Prevention and Services/State Domestic Violence Coalitions	93.591	2014-000107	-	70,548
<i>Total U.S. Department of Health and Human Services Programs</i>			-	17,550,033



<i>Federal Grantor/Pass-Through Grantor/Program or Cluster Title</i>	<i>Federal CFDA Number</i>	<i>Pass-Through Entity Identifying Number</i>	<i>Passed Through to Subrecipients</i>	<i>Total Federal Expenditures</i>
U.S. Department of Homeland Security Program:				
Community Disaster Loans Program	97.030		\$ -	\$ 855,914
Pass-Through the Puerto Rico Office of Disaster and Emergencies Administration:				
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036	FEMA-DR-4339-PR	-	1,907,399
Pass-Through the Puerto Rico Office of Public Safety:				
Homeland Security Grant Program	97.067	EMW-2016-SS-00031- S01	-	125,649
<i>Total U.S. Department of Homeland Security Program</i>			-	2,888,962
Total Expenditures of Federal Awards			\$ 108,283	\$ 34,176,516



1. REPORTING ENTITY

The Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality), was founded in 1775, and operates as a governmental unit of the Commonwealth of Puerto Rico under the Law No. 81 of August 30, 1991, known as the "Autonomous Municipalities Laws of the Commonwealth of Puerto Rico". It is governed by a Mayor and a 16-member Municipal Legislature elected for a four-year term.

2. BASIS OF PRESENTATION

The accompanying Schedule of Expenditures of Federal Awards (Schedule) includes the federal award activities of the Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality) under programs of the Federal government for the fiscal year ended June 30, 2019. The information in this Schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of the Municipality, it is not intended to and does not present the financial position, changes in net position, or cash flows of the Municipality.

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

- A. Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.
- B. Negative amounts, if any, shown on the Schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years.
- C. Pass-through entity identifying numbers are presented where available.
- D. The Municipality has elected not to use the 10 percent de minimis indirect cost rate, instead a 5% of approved budget for the Head Start Program was granted, for a total of indirect costs appropriated of \$139,315. The amount of \$13,187 expended as indirect cost was included in the expenditures reported on SEFA for the Head Start Program.

4. SCHEDULE NOT IN AGREEMENT WITH OTHER FEDERAL AWARD REPORTING

The information included in the Schedule may not fully agree with other federal award reports submitted directly to federal granting agencies.

5. FEDERAL CFDA NUMBER

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

6. OUTSTANDING LOANS OF FEDERAL FUNDS

Federal funded loans provided under these programs are included as expenditure on the schedule of expenditure of Federal Awards. Per Uniform Guidance, loans proceed that were received and expended in prior years are not considered federal awards expended (and thus not shown on the schedule of expenditures of federal awards) as those loans do not include continuing compliance requirements other than repayment of the loans. The Municipality is required to identify in the notes to the schedule of expenditures awards the balances outstanding at the end of the period. At June 30, 2019, the Community Disaster Loans Program, CFDA 97.030, had an outstanding loan balance of \$5,000,000.

continue



7. LATENESS OF SINGLE AUDIT REPORTING PACKAGE

The Single Audit reporting package, as defined and required in 2 CFR 200 for fiscal year ended June 30, 2019, could not be submitted in a timely manner because of the effects of the Novel Coronavirus COVID-19. As further discussed in the Municipality's Notes to the Financial Statements included in its audited financial statements for the same year, the Municipality's activities were affected by the Executive Order issued by the Governor of Puerto Rico, and subsequently a waiver was granted by the OMB through the issuance of the memorandum M-20-17.

8. RELATIONSHIP TO STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE – GOVERNMENTAL FUND

Expenditures of federal awards are reported in the Municipality's *Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Fund* as follows: General Fund - \$2,865,919, Capital Projects Fund – \$1,897,726, Health and Human Services Fund – \$17,473,561, and Other Governmental Funds \$11,939,310.

END OF NOTES

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INDEPENDENT AUDITOR'S 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
Members of the Municipal Legislature
Autonomous Municipality of Caguas of the
Commonwealth of Puerto Rico**

We have audited, in accordance with the 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, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the **Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality)**, as of and for the fiscal year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise **Municipality's** basic financial statements, and have issued our qualified report thereon dated April 1, 2020. Our report was qualified because we were unable to obtain sufficient appropriate audit evidence about the proportional share used to determine the deferred outflows/inflows of resources, net pension liability, pension expenses of the governmental activities and note of pensions plan. Also, as of June 30, 2019, the Puerto Rico Government Employees Retirement System hasn't issued, or made available information in order to properly adjust or disclose any deferred outflows/inflows of resources related to OPEB, net OPEB liability, and OPEB expense, if any, applicable to the **Municipality**.

Going Concern

The **Municipality** is an instrumentality of the Commonwealth of Puerto Rico (Commonwealth). Our report on the basic financial statements includes an emphasis-of-matter paragraph describing conditions, discussed in Note 26 to the basic financial statements, that raised substantial doubt about the Commonwealth of Puerto Rico's ability to continue as a going concern.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered **Municipality's** internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances 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's** internal control. Accordingly, we do not express an opinion on the effectiveness of **Municipality's** internal control.

INDEPENDENT AUDITOR'S 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
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Autonomous Municipality of Caguas of the
Commonwealth of Puerto Rico**

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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 combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the **Municipality's** financial statements will not be prevented, or detected and corrected on a timely basis. 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.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weakness or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weakness. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the **Municipality's** financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the **Municipality's** internal control or on compliance. This report is an integral part of an audit reformed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



CPA Díaz-Martínez, PSC
Certified Public Accountants & Consultants
License Number 12, expires on December 1, 2022

Caguas, Puerto Rico
April 1, 2020

Stamp No. E413066 of the Puerto Rico Society of Certified
Public Accountants was affixed to the original report.



INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Honorable Mayor and
Members of the Municipal Legislature
Autonomous Municipality of Caguas of the
Commonwealth of Puerto Rico

Report on Compliance for Each Major Federal Program

We have audited **Autonomous Municipality of Caguas of the Commonwealth of Puerto Rico (Municipality)**'s compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of **Municipality**'s major federal programs for the fiscal year ended June 30, 2019. **Municipality**'s major federal programs are identified in the Summary of Auditors' Result Section of the accompanying Schedule of Findings and Questioned Costs.

Going Concern

The **Municipality** is an instrumentality of the Commonwealth of Puerto Rico (Commonwealth). Our report on the basic financial statements includes an emphasis-of-matter paragraph describing conditions, discussed in Note 26 to the basic financial statements, that raised substantial doubt about the Commonwealth of Puerto Rico's ability to continue as a going concern.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of **Municipality**'s major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about **Municipality**'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Honorable Mayor and
Members of the Municipal Legislature
Autonomous Municipality of Caguas of the
Commonwealth of Puerto Rico

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We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of **Municipality's** compliance.

Opinion on Each Major Federal Programs

In our opinion, **Municipality** complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the fiscal year ended June 30, 2019.

Other Matters

The results of our auditing procedures disclosed an instance of noncompliance, which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying Schedule of Findings and Questioned Costs as item 2019-001. Our opinion on each major federal program is not modified with respect to this matter.

Municipality's response to the noncompliance finding identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. **Municipality's** response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control Over Compliance

Management of **Municipality** is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered **Municipality's** internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of **Municipality's** internal control over compliance.

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

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND ON
INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

**To the Honorable Mayor and
Members of the Municipal Legislature
Autonomous Municipality of Caguas of the
Commonwealth of Puerto Rico**

Page 3

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiency in internal control over compliance, as described in the accompanying Schedule of Findings and Questioned Costs as item 2019-001 to be significant deficiency.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



CPA Díaz-Martínez, PSC
Certified Public Accountants & Consultants
License Number 12, expires on December 1, 2022

Caguas, Puerto Rico
April 1, 2020

Stamp No. E413067 of the Puerto Rico Society of Certified
Public Accountants was affixed to the original report.

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PART III

FINDINGS AND QUESTIONED COSTS

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SECTION I – SUMMARY OF AUDITORS’ RESULTS

Financial Statements

Type of auditor’s report issued on whether the financial statements audited were prepared in accordance with GAAP:

- Unmodified Opinions
 - Governmental Fund Financial Statements
- Qualified Opinion
 - Government-wide Financial Statements
- Adverse Opinion Disclaimer Opinion

Internal control over financial reporting:

- Material weakness (es) identified? Yes No
- Significant deficiency (ies) identified? Yes None Reported

Noncompliance material to financial statements noted? Yes No

Federal Awards

Internal control over major Federal programs:

- Material weakness (es) identified? Yes No
- Significant deficiency (ies) identified? Yes None Reported

Type of auditor’s report issued on compliance for Major Federal Programs:

- Unmodified Opinion
- Qualified Opinion
- Adverse Opinion Disclaimer Opinion

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? Yes No

Identification of Major Federal Programs:

CFDA Number	Name of Federal Program or Cluster
14.218	Community Development Block Grant/Entitlement Grants
93.575	Child Care and Development Block Grant
93.600	Head Start Program

Dollar threshold used to distinguish between Type A and Type B Programs: \$1,025,295

Auditee qualified as low-risk auditee? Yes No

SECTION II – FINANCIAL STATEMENT FINDINGS

Our audit disclosed no findings that are required to be reported herein under the *Government Auditing Standards*.

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING REFERENCE NUMBER	2019-001
FEDERAL PROGRAM	HEAD START PROGRAM (CFDA 93.600) U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
AWARD NUMBER	02HP001903
COMPLIANCE REQUIREMENT	ALLOWABLE COSTS/COSTS PRINCIPLES
TYPE OF FINDING	NONCOMPLIANCE AND SIGNIFICANT DEFICIENCY
CRITERIA OR SPECIFIC REQUIREMENT	In accordance to 45 CFR section 75.405, a cost is allocable to particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received. This standard is met if the cost: (1) is incurred specifically for the Federal award; (2) benefits both the Federal award and other work of the non-Federal entity and can be distributed in proportions that may be approximated using reasonable methods; and (3) is necessary to the overall operation of the non-Federal entity and is assignable in part to the Federal in accordance with the principles in this part.
CONDITION	<p>As part of our audit procedures for allowable cost, we verified the reimbursement done by the Municipality. We noted an excess of funds made by erroneously calculated amounts in electronic transfer on June 6, 2019. They made a request for funds in the amount of \$1,998,792.96, corresponding to grant 02HP0019-03 that was incorrect, requesting an additional \$504,270.96. This amount was reimbursed by the Municipality to the federal government on June 26, 2019.</p> <p>When evaluating the documentation provided by the federal program, we noted that another request of funds made on July 9, 2019 for the amount of \$129,814.59 was made without considering a drawdown of \$70,875.32 made on March 29, 2019. On July 10, 2019, the federal program notifies the Municipality’s Finance Department that the drawdown was incorrectly made. The Municipality reimbursed the excess of funds of \$70,875.32 to the federal government on July 11, 2019.</p>
QUESTIONED COSTS	None
INFORMATION TO PROVIDE PROPER PERSPECTIVE	The person in charge of the documentation modified it, which it may have caused the misstatement at the time of preparing, reviewing and approving the drawdown and reimbursement transaction. It was not a statistical sample.
EFFECT	The Municipality requested excess amounts of \$504,270.96 and \$70,875.32, which were transferred to the Municipality accounts. This situation could have caused that the Municipality use funds in excess of costs incurred on behalf of the program.
CAUSE	In the first instance, the document used by the Municipality for the request for funds included total and subtotal amounts, since the total invoice report was used instead of the subtotal of each fund; it caused an error in the requested amount. In the other transaction, the Municipality is using an analysis considering previous requested funds, although, in the worksheet analysis, the \$70,875.32, which were requested on March 29, 2019, were not included reflecting the funds drawn according to PMS to be more that the amounts presented in the worksheet.

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

FINDING REFERENCE NUMBER	2019-001 – continuation
IDENTIFICATION AS A REPEAT FINDING	N/A
RECOMMENDATION	We recommend management to provide adequate training and implement internal control procedures in order to assure that the personnel from the program submit the documentation from the participants to the pass-through agency before allowing the child to receive the services from the program. In addition, ensure that the personnel verify the work certifications and document in the files the process.
VIEWS OF RESPONSIBLE OFFICIALS AND PLANNED CORRECTIVE ACTION	<ol style="list-style-type: none">1. Fulfill a meeting with the Fiscal Analyst and the Program Director to discuss the situation, offer the necessary technical assistance.2. Review the electronic fund request process and the reliability of supporting documents.3. Preparation of the electronic fund request, once the Finance Director or the person designated by her, review and approve the supporting documents.4. Proper training will be given to all personnel using, preparing, reviewing and approving all drawdowns in order to assure and strengthening the fiscal process.
IMPLEMENTATION DATE	June through August 2019
RESPONSIBLE PERSON	Head Star/Early Head Start Director and Fiscal Analyst

END OF SCHEDULE



(1) Audit Findings that have been Fully Corrected:

FISCAL YEAR 2017

Findings Related to the Federal Programs:

Finding Number	2017-001	Reporting The Municipality submitted the final report for Program Year ended December 31, 2016 after the extension date of June 30, 2017, as specified in the letter granted the extension.
CFDA Number	93.600	
Questioned Cost	None	
Auditee Comments	Finding resolved by the awarding agency.	

(2) Audit Findings not Corrected or Partially Corrected:

FISCAL YEAR 2018

Findings Related to the Federal Programs:

Finding Number	2017-001	Eligibility Missing document in the participant's files.
CFDA Number	93.575	
Questioned Cost	None	
Auditee Comments	No final determination has been received from awarding agency.	

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

NONE

(4) Audit findings is no longer valid:

NONE

END OF SCHEDULE