Financial Statements and Other Financial Information

## **Guam Preservation Trust** (A Component Unit of the Government of Guam)

Years ended September 30, 2009 and 2008 with Report of Independent Auditors

Ernst & Young



# Financial Statements and Other Financial Information

Years ended September 30, 2009 and 2008

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# Report of Independent Auditors

The Board of Directors Guam Preservation Trust

We have audited the accompanying governmental funds balance sheet/statements of net assets of the Guam Preservation Trust (the Trust), a component unit of the Government of Guam, as of September 30, 2009 and 2008, and the related statements of government fund revenues, expenditures and changes in fund balance/activities for the years then ended. These financial statements are the responsibility of the Trust's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. We were not engaged to perform an audit of the Trust's internal control over financial reporting. Our audits included consideration of internal control over financial reporting. Our audits procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, such financial statements referred to above present fairly, in all material respects, the financial position of the Guam Preservation Trust as of September 30, 2009 and 2008, and the results of its operations for the years then ended, in conformity with accounting principles generally accepted in the United States.

In accordance with *Government Auditing Standards*, we have also issued our report dated February 10, 2010, on our consideration of the Guam Preservation Trust's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Governmental Auditing Standards* and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis on pages 3 through 13 is not a required part of the basic financial statements but are supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements of the Trust taken as a whole. The supplementary information included in the Schedule of Grant Projects Reserved for Encumbrances is presented for the purpose of additional analysis and is not a required part of the basic financial statements. This information is the responsibility of the Trust's management. Such information has been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, is fairly stated in all material respects when considered in relation to the basic financial statements taken as a whole.

Ernst + Young LLP

February 10, 2010

# Management's Discussion and Analysis

Year ended September 30, 2009

The Guam Preservation Trust presents its management's discussion and analysis (MD&A) of the performance of the Trust in tandem with its financial statements and accompanying notes. This presentation is provided to better understand the Trust and its financial status in accordance with U.S. generally accepted accounting principles promulgated by the Standards of the Government Accounting Standards Board (GASB).

## Introduction

The Guam Preservation Trust was established in 1990 as a public, non-profit corporation by Public Law 20-151, amended by Public Law 21-07, codified as Article 6, Chapter 76, Division 2 of Title 21. In 2004, the Guam Legislature reenacted Article 6 of Chapter 76 of Division 2 of Title 21, and repealed §§87138 through 87141, and added a new § to Title 5, with Public Law 27-89.

The Trust was established with the following purposes, which are within its powers:

- a) To seek grants and donations;
- b) To acquire title to threatened Guam properties for the preservation of their historical value, whether in fee simple, by leasehold, or by easement, and whether through donation, transfer, dedication, or purchase;
- c) To award grants for the following:
  - 1) Historic property documentation and historic nomination;
  - 2) Architectural and archaeological history and documentation of historic structures and sites;
  - 3) Protection of historic structures and sites through stabilization, rehabilitation, reconstruction, or restoration, including adequate lighting when appropriate on such sites being utilized for non-profit and non-commercial purposes, such as private homes, schools, churches, public buildings and facilities, except that commercial activity is allowable on such sites pursuant to a signed covenant between the Guam Preservation Trust and the registered owners when part of the proceeds of such commercial activity is used for the general maintenance of such sites;
  - 4) Ethnography and oral history of Guam; and
  - 5) Archival and archaeological research and investigations for locating, recording, and protecting sites of historic or prehistoric interest and value.

# Management's Discussion and Analysis, continued

#### Introduction, continued

- d) To prepare a Guam Preservation Trust Master Plan identifying, by order of priority, the buildings, structures and sites which in the opinion of the Trust are deserving of preservation and which shall be preserved. The Trust shall hold a public hearing on the proposed plan and shall transmit the plan to I Leheslaturan Guahan sixty (60) days prior to its implementation; and
- e) To support other activities directly related to increasing the public appreciation of and benefit from historical places including public interpretation.

The Guam Preservation Trust is a 501(c)(3) Non-profit Corporation comprised of ten board members representing five disciplines (Archaeology, Architecture, Chamorro Culture, Community Planning, and History). Each discipline is represented by a primary and an alternate Board Member. Board Members appointed by the Governor and approved by the Legislature to the Historic Review Board of the Guam Department of Parks and Recreation, automatically sit on the Trust Board. The Board of Directors conducts its regular monthly meeting on the second Wednesday of the month at 3:30pm.

In Fiscal Year 2009, a total of seven (7) Guam Preservation Trust Board meetings were conducted and 42 resolutions were made. Attendance of Board Members representing four of the five disciplines constitutes a quorum.

The Guam Preservation Trust Board Members by discipline are:

- Architecture Primary: Michael Makio, AIA (Board Chair) Alternate: Liza Provido-Tan, AIA (Board Secretary)
- Chamorro Culture Primary: Marilyn Salas, Ph.D. (Board Vice Chair) Alternate: Rebecca Dueñas (Board Treasurer)
- Guam History Primary: Helen Bordallo
- Archaeology Primary: Darlene Moore Alternate: Rebecca Stephenson, Ph.D.
- Planning Primary: Tony Palomo Alternate: John Peterson Ph.D.

The Trust is staffed by the Chief Program Officer, two (2) Program Officers, and the Administrative Services Coordinator. The Trust personnel are non-government and are governed by the Trust's personnel handbook. Legal and accounting services are contracted by the Trust. The Trust maintains its own procurement regulations and adopted most of Government of Guam Procurement Regulations.

# Management's Discussion and Analysis, continued

## Introduction, continued



## The Guam Preservation Trust Vision

Historic Preservation on Guam is a public responsibility that is shared through education, cooperation, and advocacy all linking to Guam's Cultural Heritage.

## The Guam Preservation Trust Mission

The Guam Preservation Trust will preserve and protect Guam's historic sites, culture, and perspectives for the benefit of our people and our future.

#### **Guam Preservation Trust Master Plan**

In 2006, Guam's preservation stakeholders presented the Guam Preservation Trust Five-Year Historic Preservation Master Plan as a statement of our community's bold step towards taking action to preserve and protect our heritage for all to benefit. Today, the Guam Preservation Trust presents its report as a testimony of the diligence and dedication of the Guam Preservation Trust Board of Directors, staff, and the preservation community in accomplishing this year's *proposed outcomes* and achieving the *standards of success* expected of the community.

#### **Community Partnerships**

The Guam Preservation Trust has partnered with over 25 public, private, and individuals from the community to oversee more than 30 programs and projects to accomplish *proposed outcomes* for this year. All have been successful in their respective delivery to the community for their benefit and appreciation.

During Fiscal year 2009, the Guam Preservation Trust Board of Directors appropriated a total of over \$1.2 million to fund all programs and projects. Most importantly are the community's contributions as partners to accomplish the objectives of the programs and projects. An estimated total of over \$500,000 of in-kind and cash contributions from partner organizations and individuals have been dedicated towards the *proposed outcomes* for this year.

## Management's Discussion and Analysis, continued

#### **Regional and National Support**

The Guam Preservation Trust has made strides in reaching out for professional and technical resources from the region and the national preservation arena. These resources are invaluable and contribute to the capacity of building our community in the area of preservation.

The result of our efforts have formalized partnerships with regional and national organizations: Spanish Programs for Cultural Cooperation (SPCC); University of San Carlos, Cebu, Philippines; Asian American & Pacific Islanders Caucus for Historic Preservation (AAPI); National History Day, Inc. (NHD); and The National Trust for Historic Preservation, Western Division (NTHP).

#### Standard of Success 1 Ethnography and Oral History

The Guam Preservation Trust, in collaboration with organizations involved in ethnography and oral history, will dedicate resources, to research and document: 1) historic places; and 2) traditional cultural values and practices significant to Guam.

Project Name	Date <u>Approved</u>	Amount <u>Approved</u>	Balance
Guam History Day (BP-0902)	04/08/08	\$105,483	\$ 448
A U.S. Territory in Japan South Sea Part I (GPTG-0803)	06/30/08	4,341	
A U.S. Territory in Japan South Sea Part II (GPTG-0805)	09/10/08	9,060	1,140
Guampedia Video & Material (GPTG-0806)	09/10/08	22,500	6,380
A U.S. Territory in Japan South Sea Part III (GPTG-0808)	09/10/08	7,940	627
Camp Roxas Film Project (GPTG-0809)	09/10/08	5,590	590
Total	0,10,000	<u></u>	\$9,185
IUtai		\$ <u>154,914</u>	\$ <u>9,183</u>

# Management's Discussion and Analysis, continued

### Standard of Success 2

#### Repair, Rehabilitation, Restoration or Renovation of Historic Buildings and Structures

The Guam Preservation Trust, in collaboration with other organizations and property owners, will dedicate resources for the care and treatment of deteriorating historic structures and buildings.

#### **Proposed Outcomes**

	Date	Amount	
Project Name	<u>Approved</u>	<u>Approved</u>	<b>Balance</b>
Fort Nuestra de la Soledad,			
Umatac (BP0601)	10/01/06	\$ 8,000	\$ 2,050
	GVB/GEDCA	8,000	8,000
Meno House, Inarajan			
(GPTG-0704)	02/13/08	14,000	14,000
Merlyn G. Cook School			
(HS08-01C)	08/07/08	102,099	
Lujan House (HS-0901)	01/14/09	<u>697,700</u>	<u>580,790</u>
Total		\$ <u>829,799</u>	\$ <u>604,840</u>

#### Standard of Success 3 Archaeological Research

The Guam Preservation Trust will work with archaeological organizations to provide for archaeological research to better understand Guam's history;

Project Name	Date <u>Approved</u>	Amount <u>Approved</u>	Balance
Archaeology Program Year I			
(BP-0701)	06/07/07	\$127,622	\$ 193
Archaeological Survey: Vincent			
Perez property (GPTG-0802)	04/14/08	2,000	
Archaeology Program Year II			
(BP-0701)	06/13/08	140,240	119,810
Historic Structures Report Training			
(BP-0804)	09/10/08	25,000	25,000
Pacific Archaeology Conference			
(BP-0804)	02/09/09	25,000	4,942
Archaeology Program Year III			
(BP-0804)	09/16/09	83,600	83,600
Total		\$ <u>403,462</u>	\$ <u>233,545</u>

## Management's Discussion and Analysis, continued

## **Standard of Success 4 Public Interpretation and Presentation**

The Guam Preservation Trust will assist historians and other writers in the interpretation and presentation of historic properties for public education and appreciation.

	Date	Amount	
Project Name	Approved	Approved	Balance
Constantly Chamorro (GPTG-043)	06/09/98	\$ 45,000	\$ 1,620
Guam Cultural Heritage Program			
(GPTG-0706)	09/26/07	30,000	495
Sakman (GPTG-0804)	07/16/08	5,000	
Sakman Canoe House (GPTG-0811)	09/10/08	27,120	27,120
Historic Landmark Signs			
(GPTG-0810)	09/10/08	11,790	6,785
Guam Micronesian Island Fair			
(BP-0803)	09/17/08	5,000	
GPT Annual Report (BP-0903)	01/14/09	1,425	
Mes Chamorro (BP-0904)	02/11/09	5,000	783
Historic Preservation Summer Camp			
(BP-0905)	04/08/09	4,948	2,544
TASI – Saina Voyage (GPTG-0902)	06/18/09	5,000	2,500
Historic Preservation Summer			
Institute (BP-0906)	07/08/09	28,003	(2,291)
Guam Micronesian Island Fair			
(BP-0908)	08/12/09	5,000	
Pa 'a Taotao Tano (BP-0909)	08/12/09	2,500	2,500
Exploring Guam's Heritage			
(BP-0907)	07/08/09	8,290	8,290
Total		\$ <u>184,076</u>	\$ <u>50,346</u>

# Management's Discussion and Analysis, continued

#### Standard of Success 5 Historic Property Documentation and Register Nomination

The Guam Preservation Trust will provide opportunities for the documentation of the historic significance of places, objects, structures, buildings, and sites, and is in the formal process for registration and nomination for listing on the Guam and/or National Register of Historic Places.

#### **Proposed Outcomes**

Project Name

Date Approved Amount Approved

Balance

None Available

## Standard of Success 6 Archival Research

The Guam Preservation Trust, in collaboration with archival organizations, will develop and provide archival research that focuses on specific historic places or broad patterns of events significant in Guam's history for public education and appreciation.

Project Name	Date <u>Approved</u>	Amount <u>Approved</u>	Balance
Guam Museum Inventory and			
Cataloging Project (GPTG-0701)	03/26/07	\$69,400	\$
Spanish Period Glass and Ceramic			
Cataloging (GPTG-0801)	03/10/08	10,588	5,142
Inventory and Cataloging Project			
Amend (GPTG-0807)	09/10/08	36,573	<u>18,794</u>
Total		\$ <u>116,561</u>	\$ <u>23,936</u>

# Management's Discussion and Analysis, continued

## **Standard of Success 7 Architectural History**

The Guam Preservation Trust, in collaboration with architectural and engineering organizations, will develop architectural research and documentation of historic structures for use in rehabilitation, renovation, restoration, or re-construction.

Project Name	Date <u>Approved</u>	Amount <u>Approved</u>	Balance
Taleyfak Bridge, Agat			
A/E Design (HS-0702)	09/05/07	\$180,000	\$ 36
Lujan House, Hagåtña			
Amendment (HS-0703)	01/09/09	45,360	24,570
Guam Legislature Building			
Structural Assessment (HS-0802)	06/04/08	40,500	
Plaza de España Structural			
Assessment (GPTG-0901)	03/10/09	37,480	37,480
Guam Legislature A/E Design			
(HS-0902)	05/11/09	<u>264,200</u>	<u>152,000</u>
Total		\$ <u>567,540</u>	\$ <u>214,086</u>

# Management's Discussion and Analysis, continued

## **Financial Analysis**

Our analysis is based on the following condensed financial data for the years ended September 30, 2007, 2008, and 2009.

				2009 % increase
	September 30,	September 30	September 30,	(decrease)
	<u>2009</u>	2008	2007	from 2008
Statement of Net Assets				
Cash and cash equivalents	\$1,364,856	\$1,361,238	\$1,405,255	0.27 %
Investments	858,030	712,335	708,577	20.45 %
Receivables				
Building permit fund	6,285,091	6,239,099	6,106,219	0.74 %
Allowance for doubtful accounts		(5,426,711)	(5,345,996)	
Other assets	3,024	5,557	16,362	(45.58)%
Total assets	\$ <u>3,084,290</u>	\$ <u>2,891,518</u>	\$ <u>2,890,417</u>	6.67 %
Liability-accrued expenses	\$ 45,063	\$ 40,830	\$ 42,817	10.37 %
Deposits payable - grants	8,000	8,000	8,000	
Total liabilities Net assets:	53,063	48,830	50,817	8.67 %
Invested in capital assets	2,124	4,657	6,608	(54.39)%
Unrestricted	<u>3,029,103</u>	<u>2,838,031</u>	<u>2,832,992</u>	6.73 %
Total net assets	<u>3,031,227</u>	<u>2,842,688</u>	<u>2,839,600</u>	6.63 %
Total liabilities and net assets	\$ <u>3,084,240</u>	\$ <u>2,891,518</u>	\$ <u>2,890,417</u>	6.67 %

# Management's Discussion and Analysis, continued

### Financial Analysis, continued

	Year ended September 30, <u>2009</u>	Year ended September 30, <u>2008</u>	Year ended September 30, <u>2007</u>	2009 % increase (decrease) <u>from 2008</u>
Statement of Activities	¢1 170 002	Φ 001 <b>7</b> ((	Φ1 0C0 <b>22</b> 1	10.27.0/
Building permit fees	\$1,170,993	\$ 981,766	\$1,060,221	19.27 %
Interest income	65,831	68,530	75,875	( 3.94)%
Total revenues	1,236,824	1,050,296	1,136,096	17.76 %
Expenditures	(1,132,211)	(1,032,907)	( 563,347)	9.61 %
Gain (loss) on sale of investment	77,782	70,942	( 9,879)	9.64 %
Unrealized gain (loss) on investments	6,144	( <u>85,243</u> )	218	(107.21)%
Excess of revenues				
over expenditures	188,539	3,088	563,088	6,005.54 %
Net assets at beginning of year	<u>2,842,688</u>	<u>2,839,600</u>	<u>2,276,512</u>	0.11 %
Net assets at end of year	\$ <u>3,031,227</u>	\$ <u>2,842,688</u>	\$ <u>2,839,600</u>	6.63 %

The Guam Preservation Trust receives most of its revenues from the Building Permit Fees administered by the Guam Department of Public Works. A compilation is conducted every quarter by our accounting services provider. For Fiscal Year 2009, a total of \$1,170,933 was earned from building permit fees, a 19.27% increase from the 2008 total of \$981,766.

The Guam Preservation Trust Board of Directors recognizing the need to invest its funds, have taken steps into investment services on Guam. Unfortunately, due to the unprecedented economic downturn, interest income on investments has decreased between 2008 and 2009. In Fiscal Year 2009, \$65,831 was earned on interest income, compared to \$68,530 in Fiscal Year 2008.

# Management's Discussion and Analysis, continued

#### **Financial Analysis, continued**

Receivables from the General Fund of \$6,285,091 as compiled by our accounting services provider, with \$5,426,711 identified as an allowance for doubtful accounts, concerned the Guam Preservation Trust Board and prompted a discovery meeting with the Department of Administration, the Bureau of Budget and Management Research, Department of Public Works and the Speaker of the Legislature, to reconcile and report its findings. Preliminary findings indicated that in FY 2000, Public Law authorized the release of \$7.4 million dollars from special revenue funds to pay for salary increments of government employees. A total of \$4.7 million dollars was released from the Trust's Special Revenue Fund. This action conflicted with the Trust's mandate that Trust funds "shall not be used for operations of any government departments or line agencies." It is with uncertainty that payments will be received in the near future.

The only leasehold interest is the lease of the Rosario House, a historic home in Hagåtña. In 1999, due to the decrease in revenues, the Trust Board of Directors issued a request for a mutual termination agreement with the owners of the property, the estate of Louis and Rose Patton. A settlement to terminate the lease has yet to be realized.

# Governmental Funds Balance Sheet/Statements of Net Assets

# September 30, 2009 and 2008

						2009		2008
		Building Permit				Statement of		Statement of
		Fund (326)		Adjustments		Net Assets		Net Assets
Assets:								
Cash and cash equivalents (Note 2)	\$	1,364,856	\$		\$	1,364,856	\$	1,361,238
Investments (Note 2)		858,030				858,030		712,335
Due from Government of Guam								
Building Permit fund, net (Note .	3)	858,380				858,380		812,388
Prepaid expenses		900				900		900
Property and equipment, at cost,								
net (Note 4)			_	2,124	-	2,124	_	4,657
Total assets	\$	3,082,166	\$_	2,124	\$	3,084,290	\$	2,891,518
	_				_			
Liabilities:								
Accrued expenses	\$	45,063	\$		\$	45,063	\$	40,830
Grant deposit		8,000	_		-	8,000	_	8,000
Total liabilities	-	53,063	_		-	53,063	_	48,830
Commitments and contingencies (Note 5	)							
Fund Balances/Net Assets:								
Fund balances:								
Unreserved	-	3,029,103	(	3,029,103	) _		-	
		2 0 2 0 1 0 2	,	2 0 2 0 1 0 2				
Total fund balances		3,029,103	(	3,029,103	)		-	
Total liabilities and found								
Total liabilities and fund	¢	2 082 166						
balances	\$	3,082,166						
Not Associat								
Net Assets:				2 1 2 4		2 1 2 4		A ( 57
Invested in capital assets Unrestricted				2,124		2,124		4,657
Uniesuicieu			\$	3,029,103 3,031,227	\$	3,029,103	¢	2,838,031
			ം =	3,031,227	ф 	3,031,227	ф =	2,842,688

# Statement of Government Fund Revenues, Expenditures and Changes in Fund Balance/Statements of Activities

## Years ended September 30, 2009 and 2008

Devenue		Building Permit Fund (326)	Adjustments	2009 Statement of <u>Activities</u>	2008 Statement of <u>Activities</u>
Revenue: Building permit fees	\$	1,170,993 \$	\$	1,170,993 \$	981,766
Interest income	ψ	65,831	\$	65,831	68,530
				,	
Total revenue		1,236,824		1,236,824	1,050,296
Expenditures:					
Program services - projects/grants		783,350		783,350	585,902
Supporting services:					
Personnel (Note 6)		234,933		234,933	245,409
Contractual		46,323		46,323	44,204
Travel		22,666		22,666	37,812
Supplies and equipment rental		12,422		12,422	10,253
Rent (Note 5)		10,800		10,800	10,350
Trust fund and investment fees		4,968		4,968	4,561
Advertising		4,301		4,301	2,873
Communication		4,018		4,018	3,943
Miscellaneous		3,597		3,597	1,658
Depreciation expense			2,533	2,533	2,877
Stipend		2,300		2,300	2,350
Bad debt expense					80,715
		346,328	2,533	348,861	447,005
Total expenditures/expenses		1,129,678	2,533	1,132,211	1,032,907
Gain on sale of investments		77,782		77,782	70,942
Unrealized gain (loss) on investments		6,144		6,144 (	85,243)
Excess of revenues over expend	liture	es			
and gain/loss on investments		191,072 (	191,072)		
Change in net assets			188,539	188,539	3,088
Fund balance/net assets:					
Beginning of year		2,838,031		2,842,688	2,839,600
End of year	\$	3,029,103 \$	\$	3,031,227 \$	2,842,688

# Reconciliation of the Governmental Funds Balance Sheet to the Statements of Net Assets

	September 30, 2009 2008	
	2009	<u>2008</u>
Fund balance - Building Permit Fund	\$3,029,103	\$2,838,031
Amounts reported for governmental activities in the Balance Sheet differ from the amounts reported in the Statement of Net Assets because:		
Capital assets used in the governmental activities are not financial resources and, therefore, are not reported in the		
funds	2,124	4,657
Net assets of governmental activities	\$ <u>3,031,227</u>	\$ <u>2,842,688</u>

# Reconciliation of the Statements of Government Fund Revenues, Expenditures and Changes in Fund Balance of Governmental Funds to the Statements of Activities

	Y	ears ended S 2009	-	ber 30, 2 <u>008</u>
Net change in fund balances - governmental funds	\$	191,072	\$	5,039
Amounts reported for governmental activities in the Statement of Government Fund Revenues, Expenditures and Changes in Fund Balance differ from the amounts reported in the Statement of Activities because:				
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the costs of those assets are allocated over their estimated useful lives and depreciation expense. This is the amount by which the depreciation exceeded capital outlays	(_	2,533)	(	<u>1,951</u> )
Change in net assets of governmental activities	\$_	188,539	\$	3,088

# Notes to Financial Statements

## Years ended September 30, 2009 and 2008

### 1. Organization and Summary of Accounting Policies

### Organization

The Guam Preservation Trust (the Trust), is an expendable trust fund that was established by Public Law 20-151 dated March 21, 1990 (as amended by Public Law 21-07 on April 19, 1991 and amended by Public Law 27-89 on May 6, 2004).

The Trust was created for the following purposes:

- To seek grants and donations;
- To acquire title to threatened Guam properties for the preservation of their value whether in fee simple, leasehold, or by easement, through donation, transfer, dedication, purchase and eminent domain;
- To award grants for archaeological investigations;
- To prepare a Guam Preservation Trust Master Plan identifying by order of priority, the buildings, structures and sites which in the opinion of the Trust are deserving of preservation and which shall be preserved. The Trust shall hold a public hearing on the proposed plan and shall transmit the Plan to I Leheslaturan Guahan sixty (60) days prior to its implementation; and
- To support other activities directly related to increasing public appreciation of and benefit from historical places.

The Trust is a component unit of the Government of Guam. The Trust is governed by a Board of Directors, who shall be appointed by the Governor of Guam with the advice and consent of the Guam Legislature. Employees of the Trust are not Government of Guam employees and, accordingly, do not participate in the Government of Guam's retirement system.

## **Basis of Presentation**

The Trust's basic financial statements consist of government-wide statements, including a statement of net assets and a statement of activities, and fund financial statements which provide a more detailed level of financial information.

The financial statements of the Trust are prepared in accordance with generally accepted accounting principles (GAAP). The Trust applies all relevant Governmental Accounting Standards Board (GASB) pronouncements. The Trust, as a component unit of the Government of Guam, applies Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements, in which case, GASB prevails.

# Notes to Financial Statements, continued

## 1. Organization and Summary of Accounting Policies, continued

## **Government-wide Financial Statements**

The statement of net assets and the statement of activities display information about the Trust as a whole.

The statement of net assets presents the financial condition of the governmental activities of the Trust at year-end. The statement of activities presents the revenues, expenditures and reconciliation of net assets.

Revenues of the Trust are comprised of building permit fees and interest earned on the cash balances. Public Law 20-151, Section 13, provides that the Trust will receive building permit fees and re-inspection fees collected by the Department of Public Works of the Government of Guam and fines for vandalism and unlawful taking of historic properties.

## **Fund Financial Statements**

During 2009 and 2008, the Trust accounted for its financial activities in a single governmental fund. A fund is defined as a fiscal and accounting entity with a self balancing set of accounts. Governmental funds are those through which most governmental functions are financed. Governmental fund reporting focuses on the sources, uses and balances of current financial resources. The difference between governmental fund assets and liabilities is reported as fund balance. The Trust's only governmental fund is the building permit fund.

#### Measurement Focus/Government-wide and Fund Financial Statements

The government-wide financial statements are prepared using a flow of economic resources measurement focus. All assets and all liabilities associated with the operation of the Trust are included on the statement of net assets.

The building permit fund is accounted for using a flow of current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. The statement of revenues, expenditures and changes in fund balance reports on the sources (i.e., revenues and other financing sources) and uses (i.e., expenditures and other financing uses) of current financial resources. This approach differs from the manner in which the governmental activities of the government-wide financial statements are prepared.

Governmental fund financial statements therefore include a reconciliation with brief explanations to better identify the relationship between the government-wide statements and the statements for the building permit fund.

# Notes to Financial Statements, continued

#### 1. Organization and Summary of Accounting Policies, continued

#### Measurement Focus/Government-wide and Fund Financial Statements, continued

The modified accrual basis of accounting is used by governmental funds. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). "Measurable" means that the amount of the transaction can be determined and "available" means that the amount of the transaction is collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. A one-year availability period is used for revenue recognition for all governmental fund type revenues. Expenditures are recorded when the related fund liability is incurred.

#### Cash and Cash Equivalents

For the purpose of presentation in the Governmental Funds balance sheet/statement of net assets, cash and cash equivalents consist of cash balances deposited in banks and money market accounts.

#### Investments

Investments and related investment earnings are recorded at fair value. Fair value is the amount at which a financial instrument could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

## **Capital Assets**

Property and equipment are stated at cost at the date of acquisition. The costs of normal maintenance and repairs that do not add to the asset value or materially extend the useful life of the assets are expensed. Capital assets are depreciated over a period of 3 to 5 years using the straight-line method.

#### **Revenue Recognition**

Revenues are recorded upon notification of receipt of building permit fees by the Government of Guam's Department of Administration.

# Notes to Financial Statements, continued

### 1. Organization and Summary of Accounting Policies, continued

#### **Income Taxes**

The Trust is exempt from Guam income taxes under Section 501(c)(3) of the Guam Territorial Income Tax Laws.

#### **Compensated Absences**

Governmental Accounting Standards Board Statement No. 16, Accounting for Compensated Absences, provides that liabilities for vacation leave and other compensated absences, excluding sick leave, will be accrued provided the leave is attributable to past service.

The Trust compensates its employees for annual leave as follows:

- One half day (4 hours) for each full biweekly pay period in the case of employees with less than (1) to five (5) years of service;
- Three-fourths day (6 hours) for each biweekly pay period except that for accrual for the last full biweekly pay period in the year shall be one and one-forth (10 hours) in the case of employees with six (6) to ten (10) years of service;
- One day (8 hours) for each full biweekly pay period in the case of employees with eleven (11) or more years of service.

Employees entitled to annual leave may accumulate up to four hundred eighty (480) hours thereof. Any annual leave earned by eligible employees in excess of four hundred eighty (480) hours shall be automatically credited to such employee's accumulated sick leave, provided, that not more than one hundred (100) hours shall be credited to said sick leave.

#### **Fund Balances**

Unreserved fund balances for governmental funds represent the amount available for funding future operations. Reserved fund balances for governmental funds represent the amount that has been legally identified for specific purposes.

#### **Use of Estimates**

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

# Notes to Financial Statements, continued

### 1. Organization and Summary of Accounting Policies, continued

### **New Accounting Standards**

In May 2007, GASB issued Statement No. 50, *Pension Disclosures, an amendment of GASB Statements No. 25 and 27.* GASB Statement No. 50 more closely aligns the financial reporting requirements for pensions with those for other post employment benefits. Management believes the implementation of this statement did not have a material impact on the accompanying financial statements of the Trust.

In June 2007, GASB issued Statement No. 51, *Accounting and Financial Reporting for Intangible Assets*. GASB Statement No. 51 addresses whether and when intangible assets should be considered capital assets for financial reporting purposes. The provisions of this statement are effective for periods beginning after June 15, 2009. Management believes the implementation of this statement will not have a material impact effect on the accompanying financial statements of the Trust.

In November 2007, GASB issued Statement No. 52, *Land and Other Real Estate Held as Investments by Endowments*. GASB Statement No. 52 improves the quality of financial reporting by requiring endowments to report their land and other real estate investments at fair value, creating consistency in reporting among similar entities that exist to invest resources for the purpose of generating income. The provisions of this statement are effective for periods beginning after June 15, 2008. Management believes the implementation of this statement did not have a material effect on the accompanying financial statements of the Trust.

In June 2008, GASB issued Statement No. 53, *Accounting and Financial Reporting for Derivative Instruments*. GASB Statement No. 53 is intended to improve how state and local governments report information about derivative instruments - financial arrangements used by governments to manage specific risks or make investments - in their financial statements. The provisions of this statement are effective for periods beginning after June 15, 2009. Management believes the implementation of this statement will not have a material impact on the accompanying financial statements of the Trust.

In March 2009, GASB issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which enhances the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. The provisions of this statement are effective for periods beginning after June 15, 2010.

In March 2009, GASB issued Statement No. 55, *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments*, which improves financial reporting by contributing to the GASB efforts to codify all GAAP for state and local governments so that they derive from a single source.

# Notes to Financial Statements, continued

## 1. Organization and Summary of Accounting Policies, continued

#### New Accounting Standards. continued

In March 2009, GASB issued Statement No. 56, *Codification of Accounting and Financial Reporting Guidance Contained in the AICPA Statements on Auditing Standards*, which incorporates accounting and financial reporting guidance previously only contained in the American Institute of Certified Public Accountants (AICPA) auditing literature into the GASB's accounting and financial reporting literature for state and local governments, and addresses three issues from the AICPA's literature - related party transactions, going concern considerations, and subsequent events.

In December 2008, GASB issued Technical Bulletin No. 2008-1, *Determining the Annual Required Contribution Adjustment for Postemployment Benefits*, which clarifies the requirements of GASB Statement No. 27, *Accounting for Pensions by State and Local Governmental Employers*, and Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, for calculating the annual required contribution (ARC) adjustment. The provisions of this statement are effective for periods beginning after December 15, 2008. Management believes the implementation of this statement will not have a material effect on the accompanying financial statements of the Trust.

#### 2. Cash and Cash Equivalents and Investments

In accordance with GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, the Trust has assessed the custodial credit risk, interest rate risk, credit risk, and concentration of credit risk of its cash and cash equivalents, and investments.

Cash and cash equivalents and investments as of September 30, 2009 and 2008 are classified in the statements of net assets as follows:

	<u>2009</u>	<u>2008</u>
Cash and cash equivalents	\$ <u>1,364,856</u>	\$ <u>1,361,238</u>
Investments	\$ <u>858,030</u>	\$ <u>712,335</u>

The Trust uses market quotations to measure fair value of investments.

# Notes to Financial Statements, continued

## 2. Cash and Cash Equivalents and Investments, continued

## Custodial Credit Risk

Custodial credit risk for cash and cash equivalents is the risk that in the event of a bank failure, the Trust's deposits may not be returned to it. The Trust does not have a deposit policy for custodial credit risk. As of September 30, 2009 and 2008, cash and cash equivalents were held by depositories and amounted to \$1,364,856 and \$1,361,238, respectively, of which \$565,803 and \$428,820, respectively, were insured and \$799,053 and \$932,418, respectively, were uninsured and uncollateralized. Based on negotiated trust and custody contracts, all of the investments were held in the Trust's name by the Trust's custodial financial institution at September 30, 2009 and 2008.

As of September 30, 2009 and 2008, the Trust also had \$417,454 and \$401,962, respectively, deposited in an interest bearing money market account which can be liquidated within 24 hours notice to the bank. The account is backed by short term U.S. treasury securities but is not insured by the Federal Deposit Insurance Corporation.

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the Trust will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The Trust does not have an investment policy for custodial credit risk.

## Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. To minimize interest rate risk, the maturities of investments are limited to one year or less. This reduces the impact of interest rate movements seen with longer maturity investments.

# Notes to Financial Statements, continued

### 2. Cash and Cash Equivalents and Investments, continued

## Concentration of Credit Risk

Concentration of credit risk for investments is the risk of loss attributed to the magnitude of an entity's investment in a single issuer. The Trust minimized credit risk losses by limiting investments to low risk securities. The following represents the Trust's investments as of September 30, 2009 and 2008:

	<u>20</u>	<u>)09</u>	<u>2008</u>				
<u>Type</u>	<u>Amount</u>	<u>% of Portfolio</u>	Amount	<u>% of Portfolio</u>			
Certificates of Deposit Stocks	\$435,530 <u>422,500</u>	51% 49%	\$525,645 <u>186,690</u>	74% _26%			
	\$ <u>858,030</u>	<u>100%</u>	\$ <u>712,335</u>	<u>100%</u>			

As of September 30, 2009, the Trust had a formal investment policy adopted.

#### 3. Due from Government of Guam Building Permit Fund

The due from Government of Guam Building Permit Fund balance represents accumulated building permit fees and reinspection fees collected and deposited with the Treasurer of Guam by the Government of Guam's Department of Public Works but not yet transferred to the Trust. Management of the Trust is of the opinion that such balances are due and payable to the Trust. However, issues relating to this outstanding balance exist at September 30, 2009 and 2008. Accordingly, the Trust has recorded an allowance for uncollectible receivables of \$5,426,711 as of September 30, 2009 and 2008, respectively.

## 4. Property and Equipment

The following is a summary of the changes in capital assets for the years ended September 30, 2009 and 2008:

	Beginning Balance October 1, 2008	Additions	Transfers and <u>Deletions</u>	Ending Balance September 30, 2009
Furniture, fixtures, and equipmen	t \$13,750	\$	\$	\$13,750
Less accumulated depreciation	(_9,093)	( <u>2,533</u> )		( <u>11,626</u> )
Investment in capital assets	\$ <u>4,657</u>	\$( <u>2,533</u> )	\$	\$ <u>2,124</u>

# Notes to Financial Statements, continued

## 4. Property and Equipment, continued

	Beginning Balance October 1, 2007	Additions	Transfers and <u>Deletions</u>	Ending Balance			
Furniture, fixtures, and equipmer	nt \$12,824	\$ 926	\$	\$13,750			
Less accumulated depreciation	( <u>6,216</u> )	( <u>2,877</u> )		(_9,093)			
Investment in capital assets	\$ <u>6,608</u>	\$( <u>1,951</u> )	\$ <u></u>	\$ <u>4,657</u>			

#### 5. Commitments and Contingencies

In 1991, the Trust acquired a leasehold interest in a Guam property of historical significance. The lease agreement, which expires on December 31, 2037, calls for the Trust to remit monthly payments totaling \$798 up to 2012 and will increase every ten years thereafter.

The Trust issued a letter of termination dated December 10, 1998. Rental payments have not been remitted since September 1999 and total approximately \$94,000 and \$85,000, as of September 30, 2009 and 2008, respectively. The lessor has not taken efforts to collect.

The Trust, as a component unit of the Government of Guam, is covered under the Government of Guam Claims Act. This act prohibits the lessor from pursuing collection of outstanding rents beyond the past 18 month period. Accordingly, the Trust believes its maximum obligation as of September 30, 2009 will not exceed approximately \$14,000. Because the lessor has not pursued collection, the Trust has not recorded any accrued liability.

Future rental payments as of September 30, 2009, are as follows:

#### Year ending September 30,

2010	\$ 9,576
2011	9,576
2012	9,576
2013	10,536
2014	10,536
Thereafter	<u>264,077</u>
	\$ <u>313,877</u>

# Notes to Financial Statements, continued

## 5. Commitments and Contingencies, continued

The Trust has a lease agreement that is renewed annually to rent office space for its operations. Rent expense incurred for the years ended September 30, 2009 and 2008 totaled \$10,800 and \$10,350, respectively.

The Trust has commitments to pay \$1,121,275 to fund grants approved as of September 30, 2009. The Trust will release the funds to the grantees only upon satisfactory performance by the grantees of requirements called for in their respective grant agreements.

In May 2007, the Trust received a levy from the United States Internal Revenue Service (IRS). The IRS seeks to obtain payment of taxes owed by a Trust grant recipient. However, the Trust had disbursed grant monies to the recipient prior to receiving the IRS levy. The Trust communicated this situation to the IRS and no reply has been received from the IRS. The Trust has not recorded any liability on its 2009 and 2008 financial statements.

## 6. Employee's Retirement Plan

Employees of the Trust are not classified as Government of Guam employees and do not participate in the Government of Guam Employees' Retirement System. Instead, the Trust's Board of Directors, through Resolution 0806-31, approved the adoption of a Simple IRA Retirement Plan.

Employees can contribute up to the maximum allowable limit and the Trust offers a matching contribution of up to three percent (3%) of the gross annual salary of employees. To qualify, employees must complete one year of service with the Trust.

For the years ended September 30, 2009 and 2008, the retirement contribution amounted to \$5,847 and \$5,521, which is included as a component of personnel services in the accompanying Statements of Government Fund Revenues, Expenditures and Changes in Fund Balance/Statements of Activities.

#### 7. Subsequent Events

The Trust has evaluated subsequent events through February 15, 2010 which is the date the financial statements were available to be issued.

Other Financial Information

# September 30, 2009

# Schedule of Grant Projects Reserved for Encumbrances

		Date		Grant	Year-to-date expenditures		Expenditures year-ended		Outstanding encumbrance
Description	Grant no.	approved	. –	amount	FYE09/30/08	-	09/30/09	. –	09/30/09
Baltazar Aguon - Constantly Chamorro	GPTG-043	06/09/98	\$	45,000	\$ 43,380	\$	-	\$	1,620
Guam Museum - Inventory of Collections	GPTG-0701	03/26/07		69,400	35,325		34,075		-
Inalahan Historic Foundation - Meno House - Amendment I	GPTG-0704	02/13/08		14,000	-		-		14,000
Ann Card - Cultural Heritage Program	GPTG-0706	09/26/07		30,000	14,475		15,030		495 *
Lon Bulgrin - Rosario House Ceramic and Glass Catalog	GPTG-0801	03/10/08		10,588	-		5,446		5,142
Vincent Perez - Archaeological Services	GPTG-0802	04/14/08		2,000	-		2,000		-
Wakako Higuchi - Archival Research Part I: Japanese									
Navy Administration of Guam	GPTG-0803	06/30/08		4,341	-		4,341		-
Traditions About Seafaring Islands (TASI) - Sakman	GPTG-0804	07/16/08		5,000	4,734		266		-
Wakako Higuchi - Archival Research Part II: Japanese									
Navy Administration of Guam	GPTG-0805	09/10/08		9,060	-		7,920		1,140 *
Shannon Murphy - Guampedia Phase III	GPTG-0806	09/10/08		22,500	-		16,120		6,380
Guam Museum - Amendment 1	GPTG-0807	09/10/08		36,573	-		17,779		18,794
Wakako Higuchi - Archival Research Part III: Japanese									
Navy Administration of Guam	GPTG-0808	09/10/08		7,940	-		7,313		627 *
Bernie Shuman - Camp Roxas Film	GPTG-0809	09/10/08		5,590	-		5,000		590 *
Department of Parks and Recreation - Historic Landmark Signs	GPTG-0810	09/10/08		11,790	-		5,005		6,785
Traditions About Seafaring Islands (TASI) - Guma Sakman	GPTG-0811	09/10/08		27,120	-		-		27,120
Duenas & Bordallo - Plaza De Espana	GPTG-0901	03/10/09		37,480	-		-		37,480
TASI - Saina Maiden Voyage	GPTG-0902	06/18/09		5,000	-		2,500		2,500
Fort Nuestra De La Soledad, Umatac	BP-0601	10/01/06		8,000	5,950		-		2,050
UOG Archaeological Program	BP-0701	06/07/07		127,622	47,917		79,512		193
UOG Archeology Program - Year 2 Amendment 1	BP-0701	06/13/08		140,240	-		20,430		119,810
Guam Visitors Bureau - Guam Micronesian Island Fair	BP-0803	09/17/08		5,000		-	5,000	_	-
Sub-total carried forward				624,244	151,781		227,737		244,726

### September 30, 2009

## Schedule of Grant Projects Reserved for Encumbrances, continued

Description	Grant no.	Date approved	Grant amount	6	Year-to-date expenditures YE 09/30/08	Expenditures year-ended 09/30/09	Outstanding ncumbrance 09/30/09
Sub-total brought forward			\$ 624,244	\$	151,781	\$ 227,737	\$ 244,726
UOG Archeology Program - Year 2 Amendment 2 - HSR Plaza	BP-0804	09/10/08	25,000		-	-	25,000
UOG Archeology Program - Year 2 Amendment 3 - Pac Arch C	Conf	02/09/09	25,000		-	20,058	4,942
UOG Archeology Program - Year 3		09/16/09	83,600		-	-	83,600
Guam History Day	BP-0902	04/08/09	105,483		-	105,035	448 *
Annual Report	BP-0903	01/14/09	1,425		-	1,425	-
Department of Chamorro Affairs - Chamorro Month	BP-0904	02/11/09	5,000		-	4,217	783 *
Department of Parks and Recreation - Summer Camp	BP-0905	04/08/09	4,948		-	2,404	2,544 *
Summer Field School	BP-0906	07/08/09	28,003		-	30,294	(2,291) **
Exploring Guam's Heritage	BP-0907	07/08/09	8,290		-	-	8,290
Guam Visitors Bureau - Guam Micronesia Island Fair	BP-0908	08/12/09	5,000		-	5,000	-
Pa'a Taotao Tano	BP-0909	08/12/09	2,500		-	-	2,500
Winzler & Kelly (A/E) - Taleyfac Bridge	HS-0702	09/05/07	180,000		160,986	18,978	36 *
Setiadi Architects (A/E) - Lujan House - Amendment 1	HS-0703	01/09/09	45,360		-	20,790	24,570
JRN Refigeration - MG Cook School	HS-0801	08/07/08	93,670		-	93,670	-
JRN Refrigeration - MG Cook School - Change Order		10/01/09	8,429		-	8,429	-
Duenas & Bordallo - Guam Legislature - Structual Assessment	HS-0802	06/04/08	40,500		24,300	16,200	-
JRN Refrigeration - Lujan House	HS-0901	01/14/09	697,700		-	116,910	580,790
Architects RNK - Guam Legislature	HS-0902	05/11/09	220,000		-	110,000	110,000
Motion - Topo Survey - Balagtas & Assoc		05/28/09	2,200		-	2,200	-
Motion - LEED Certification		08/12/09	42,000		-	-	42,000
			\$ 2,248,352	\$	337,067	\$ 783,347	\$ 1,127,938

\* Represents grant projects that have been completed and whose grant balances will be reverted back to the Trust: (\_\_\_\_\_\_

Total outstanding encumbrance as of FY2009: \$ 1,121,275

\*\* Represents amounts to be reimbursed to the Trust, which was uncollected as of September 30, 2009.

6,663)