

## **Note 1 – Summary of Significant Accounting Policies**

### ***1-A. Reporting Entity***

Miami-Dade County, Florida (the “County”) is an instrumentality of the State of Florida established by an amendment to the Florida State Constitution adopted May 21, 1957 as the Dade County Home Rule Charter, to carry on a centralized government.

On January 23, 2007, the electors of Miami-Dade approved an amendment to the Home Rule Charter which established a Strong Mayor form of government. This amendment expands the Mayor’s powers over administrative matters. The County Manager who previously was chief administrator now reports directly to the Mayor who has the authority to hire, fire and set the salary of the County Manager. Under this new system, the Mayor also appoints all department heads.

The Board of County Commissioners (the “BCC”) is the legislative body, consisting of 13 members elected from single-member districts. Members are elected to serve four-year terms, and elections of members are staggered. The Board chooses a Chairperson, who presides over the Commission, as well as appoints the members of its legislative committees. The Board has a wide array of powers to enact legislation, create departments, and regulate business operating within the County. It also has the power to override the Mayor’s veto with a two-thirds vote.

On January 29, 2008, a charter amendment was approved to make the Property Appraiser an elected position. November 4, 2008 was the first election for a Property Appraiser in Miami-Dade County.

The financial reporting entity for which the accompanying financial statements are prepared includes the County (primary government) and its component units. Component units are legally separate organizations for which the County is financially accountable. Financial accountability is defined as the appointment of a voting majority of the component unit’s board and either 1) the County’s ability to impose its will on the component unit’s board, or 2) the possibility that the component unit will provide a financial benefit to or impose a financial burden to the County.

The financial position and result of operations of the following entities are blended with the primary government in the accompanying financial statements.

- ***Public Health Trust (the “PHT”)***  
The PHT provides countywide healthcare services and is responsible for the operation, governance and maintenance of County health facilities. The PHT has its own governing board, which is appointed by the Commission. However, it is not considered to be legally separate from the County and is reported as an enterprise fund of the County.
- ***Clerk of the Circuit and County Courts (the “Clerk”)***  
The Clerk is an elected official whose principal function is to provide support to the Courts (Civil, Criminal and Traffic) and perform the ex-officio duties of the County Auditor, Custodian of Public Funds and County Recorder. As a result of the budgetary control by the County and its financial dependency on the County, financial information for the Clerk is presented as a special revenue fund and has been blended with the Miami-Dade primary government
- ***Naranja Lakes Community Redevelopment Agency (the “NLCRA”)***  
The NLCRA trust fund was created by the Miami-Dade County Board of County Commissioners on May 6, 2003 as a redevelopment trust fund to be funded with ad valorem tax increment revenues to finance or refinance proposed community redevelopment in the NLCRA area. Financial information for the NLCRA for the fiscal year ended September 30, 2008 has been blended with the Miami-Dade County primary government in this CAFR. Trust fund revenues and expenditures during the period were \$2,498,674 and \$3,077,156, respectively, with an ending fund balance of \$4,848,068.

- **7th Avenue Community Redevelopment Agency (the "7th Avenue CRA")**  
The 7<sup>th</sup> Avenue CRA trust fund was created by the BCC on June 22, 2004 as a redevelopment trust fund to be funded with ad valorem tax increment revenues to finance or refinance proposed community redevelopment in the 7<sup>th</sup> Avenue CRA area. Financial information for the 7<sup>th</sup> Avenue CRA for the fiscal year ended September 30, 2008 has been blended with the Miami-Dade County primary government in this CAFR. Trust fund revenues and expenditures during the period were \$443,929, and \$0, respectively, with an ending fund balance of \$1,219,542.
- **West Perrine Community Redevelopment Agency (the "WPCRA")**  
The WPCRA was created by the BCC on June 5, 2007 as a redevelopment trust fund to be funded with ad valorem tax increment revenues to finance or refinance proposed community redevelopment in the CRA area. Financial information for the WPCRA for the fiscal year ended September 30, 2008 has been blended with the Miami-Dade County primary government in this CAFR. Trust fund revenues and expenditures during the period were \$684,995 and \$117,246, respectively, with an ending fund balance of \$567,749.
- **Educational Facilities Authority (the "EFA")**  
The Miami-Dade Educational Facilities Authority was created by the BCC on October 22, 1969, pursuant to Chapter 69-345, Florida Statutes, empowering it to issue tax-exempt bonds for the purpose of enabling institutions of higher education to provide facilities and structures, including the refinancing of the same, pursuant to Chapter 243, Part II, Florida Statutes. Neither the notes, bonds nor any other obligation incurred by the EFA shall be deemed a pledge of the faith or credit of Miami-Dade County. Any expenditures incurred by the EFA shall be payable solely from funds provided under the authority of Chapter 69-345. The EFA had \$0 (zero) revenues and \$0 (zero) expenditures for the fiscal year ended September 30, 2008.
- **Health Facilities Authority**  
The Miami-Dade County Health Facilities Authority was created by the BCC on October 16, 1979 pursuant to Section 154.207, Florida Statutes, empowering it to issue tax-exempt bonds for the purpose of assisting in the development and maintenance of the health facilities of Miami-Dade County. All bonds issued by the Health Facilities Authority shall not be deemed to constitute debt, liability or obligation of Miami-Dade County or a pledge of the faith and credit of Miami-Dade County. The Health Facilities Authority had \$0 (zero) revenues and \$0 (zero) expenditures for the year ended September 30, 2008.

The financial position and result of operations of the following entities are discretely presented in the accompanying financial statements:

- **Housing Finance Authority (the "HFA")**  
The HFA was created by the Miami-Dade County Board of County Commissioners (the "BCC") on December 12, 1978. The HFA provides financing for residential housing to persons or families of moderate, middle or lesser income. The HFA is a component unit of the County since the BCC appoints the thirteen members of its governing board and has the ability to impose their will on the board. Financial information for the HFA is presented in a separate column in the County's government-wide financial statements.

Complete financial statements of the HFA may be obtained directly from their administrative offices at: Housing Finance Authority of Miami-Dade County, 7300 NW 19<sup>th</sup> Street, Suite 501, Miami, Florida 33126. Telephone (305) 594-2518

- **Jackson Memorial Foundation, Inc. (the "Foundation")**  
The Foundation is a legally separate, tax-exempt component unit of the County. The Foundation acts primarily as a fund-raising organization to supplement the resources that are available to the County in support of its programs. The board of the Foundation is self-perpetuating and consists of community members. Although the County does not control the timing or amount of the

receipts from the Foundation, the majority of resources, or income thereon, that the Foundation holds and invests are restricted to the activities of the County by the donors. Because these restricted resources held by the Foundation can only be used by, or for the benefit of, the County the Foundation is considered a component unit of the County. Financial information for the Foundation is presented in a separate column in the County's government-wide financial statements.

Complete financial statements for the Foundation can be obtained at: Jackson Memorial Foundation, Inc., Plaza Park East, 901 NW 17<sup>th</sup> Street, Suite G, Miami, Florida 33136. Telephone (305) 355-4999.

### ***Related Organizations:***

➤ ***Industrial Development Authority (the "IDA")***

The Miami-Dade IDA was created by the BCC on March 21, 1978, pursuant to Chapter 159, Sections 159.44 through 159.53, Florida Statutes. The IDA develops and manages the Tax-Exempt Industrial Development Revenue Bond Program that serves as a financial incentive to support private sector business and industry expansion and location in Miami-Dade County. The Commission appoints the members of IDA's governing board. However, the County is not financially accountable for IDA because it cannot impose its will on the organization. IDA bonds are not obligations of the County. Its operations neither provide a financial benefit to nor impose a financial burden on the County and are not included in the financial statements of Miami-Dade County.

Financial statements for the IDA may be obtained directly from their administrative offices at: Miami-Dade Industrial Development Authority, 80 SW 8<sup>th</sup> Street, Suite 2801, Miami, Florida 33130. Telephone (305) 579-0070

➤ ***Miami-Dade Expressway Authority (the "MDXA")***

The MDXA is an agency of the State of Florida. It constructs, maintains and operates the expressway system located in Miami-Dade County. The Commission appoints a voting majority of the MDXA governing board. However, the County is not financially accountable for the MDXA, and the MDXA is therefore not included in the accompanying financial statements.

➤ ***MDHA Development Corporation (the "MDHADC")***

The MDHADC was created by the Board of County Commissioners in July 2000, pursuant to Resolution R-903-00, as a Florida non-profit corporation to promote development of low- to moderate-income housing facilities for residents of Miami-Dade County. Currently, there are no County employees serving in the MDHADC's Board of Directors. The MDHADC is financially independent, and the County is not financially accountable for the MDHADC. The MDHADC is not included in the accompanying financial statements.

➤ ***Performing Arts Center Trust (the "PACT")***

The PACT, a non-profit corporation, was created by the Board of County Commissioners in 1991 to oversee the planning, design, construction and operation of the Performing Arts Center. The Mayor of Miami-Dade County appoints the 32 trustees of the PACT, a majority of which is predetermined by ordinance or selected by others outside the County government; hence the Mayor's appointment authority is not substantive. The PACT is financially independent from the County, and Miami-Dade County is not entitled to, nor has the ability to otherwise access, the economic resources of the PACT. Therefore, the PACT is not included in the accompanying financial statements.

**1-B. Measurement Focus, Basis of Accounting, Basis of Presentation**

In addition to the government-wide statements, separate financial statements are presented for governmental funds, proprietary funds, and fiduciary funds. The financial statements may differ in terms of the measurement focus and basis of accounting used to prepare them, as discussed below.

The government-wide statements, proprietary fund and fiduciary fund financial statements are prepared using the economic resources measurement focus and the full accrual basis of accounting. (Agency funds, however, report only assets and liabilities. Since an operating statement is not presented, agency funds have no measurement focus). Revenues are generally recorded when earned and expenses are recorded when a liability is incurred, regardless of when the related cash flow occurs. Property taxes are recorded as revenues in the year for which they are levied, and grants and other similar non-exchange transactions are recorded as revenue as soon as all eligibility requirements have been met.

The governmental fund financial statements are prepared using the current financial resources measurement focus and modified accrual basis of accounting. Revenues are recognized when they are both measurable and available. For the purpose of revenue recognition, "available" means that the revenues are collectible within the current period or soon thereafter to pay liabilities of the current period. Major revenue sources that are susceptible to accrual under the above criteria include intergovernmental revenues and certain taxes. The County considers the availability for revenues susceptible to accrual to be ninety days, with the exception of expenditure driven (reimbursement) grants, for which the availability period is one year. When the primary eligibility requirement under a grant is incurring an eligible expenditure, the County recognizes revenue at the time the expenditure is incurred. Prior year property taxes billed but uncollected as of the end of the fiscal year are reflected as delinquent taxes receivable with an offsetting allowance account. Other revenues that are not considered measurable or available are recognized when received by the County. Expenditures are generally recorded when a liability is incurred, except for principal and interest on long-term debt, expenditures related to compensated absences, claims and judgments, and other long-term obligations, which are recorded only when payment is due.

The above differences in measurement focus and basis of accounting result in differences in the amounts reported as net assets and changes in net assets in the government-wide statements from the amounts shown in the governmental fund statements. Those differences are briefly explained in the reconciliation statements included in the governmental fund statements.

**Government-wide financial statements:**

The accompanying financial statements include a government-wide statement of activities and a government-wide statement of net assets. These statements report information on the County as a whole and its component units. They do not include the fiduciary activities of the County.

In the government-wide statements, the primary government (the County) is reported separately from its component units (the Housing Finance Authority and the Jackson Memorial Foundation). Governmental activities and business-type activities of the County are presented separately. Governmental activities are normally supported by taxes and intergovernmental revenues. Business-type activities rely mostly on charges for services for support.

The statement of activities shows the extent to which the direct expenses of a given function or segment are offset by its program revenues. The direct expenses of a function are clearly identifiable with that function. The program revenues of a function include: (1) amounts charged to those who purchase, use, or directly benefit from goods or services provided by the function, (2) grants and contributions that are restricted to operational uses by the function, and (3) grants and contributions that are restricted to capital uses by the function. All revenues other than program revenues are considered to be general revenues and are shown in the bottom section of the statement of activities. They include all taxes (even those levied for a particular function), unrestricted intergovernmental revenues, unrestricted investment earnings and other miscellaneous non-program revenues.

The government-wide statement of net assets reports all financial and capital resources of the County, as well as its liabilities. The difference between assets and liabilities are reported as net assets. Net assets are displayed in three components:

*Invested in capital assets, net of related debt:* Capital assets, net of depreciation and reduced by the outstanding balance of debt that is attributable to the acquisition or construction of those assets.

*Restricted net assets:* Net assets where constraints on their use are: (1) externally imposed by creditors, grantors, contributors or laws or regulations of other governments, or (2) imposed by law through constitutional provisions or enabling legislation.

*Unrestricted net assets (deficit):* All other assets and liabilities not part of the above categories. This amount represents the accumulated results of all past years' operations. The deficit in net assets of governmental activities is due to long-term liabilities, including compensated absences.

### ***Fund financial statements:***

The accompanying financial report includes separate financial statements for governmental funds, proprietary funds and fiduciary funds (though fiduciary funds are excluded from the government-wide statements). The fund financial statements present major individual funds in separate columns. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds.

### ***Major Governmental Funds***

The following major governmental funds are included in the County's financial statements:

**General Fund:** The County's primary operating fund; also accounts for the financial resources of the general government, except those required to be accounted for in another fund.

### ***Major Proprietary Funds***

The following major enterprise funds are included in the County's financial statements:

**Miami-Dade Transit Agency:** Operates the County's mass transit rail system, bus system, downtown metro-mover loop, and special transportation services.

**Miami-Dade Solid Waste Department:** Provides solid waste collection and recycling services to the unincorporated area of Miami-Dade County and to some municipalities and also provides solid waste disposal services to 17 municipalities and operates a variety of facilities, including landfills, transfer stations and neighborhood trash and recycling centers.

**Miami-Dade Seaport Department:** Operates the Dante B. Fascell Port of Miami-Dade County.

**Miami-Dade Aviation Department:** Operates and develops the activities of the Miami International Airport, four other general aviation airports, and one training airport.

**Miami-Dade Water and Sewer Department:** Maintains and operates the County's water distribution system and wastewater collection and treatment system.

**Public Health Trust (PHT):** The PHT was created by a County ordinance in 1973 that provided for an independent governing body responsible for the operation, governance and maintenance of certain designated health facilities. The PHT operates the Jackson Memorial Hospital and Medical Towers, the North Dade Primary Health Care Facility, the Corrections Health Services Facility, the Liberty City Medical Facility, and other health facilities.

***Internal Service Fund***

The following internal service fund is included in the County's financial statements:

**Self-Insurance Fund:** Accounts for the County's insurance programs covering property, automobile, general liability, professional and workers' compensation. Also accounts for medical, dental, life, and disability insurance for County employees.

***Fiduciary Funds***

The following fiduciary funds are included in the County's financial statements:

**Agency Funds:**

**Clerk of Circuit and County Court Funds:** Accounts for funds received, maintained and distributed by the Clerk of the Circuit and County Courts in his capacity as custodian to the State and County judicial systems.

**Tax Collector Fund:** Accounts for the collection and distribution of ad-valorem taxes and personal property taxes to the appropriate taxing districts. Also accounts for the collection of motor vehicle registration fees and sales of other State of Florida licenses, the proceeds of which are remitted to the State.

**Other Agency Funds:** Accounts for various funds placed in escrow pending timed distributions.

**Pension Trust Fund:** The Pension Trust Fund accounts for assets held by Northern Trust Bank for the benefit of employees of the Public Health Trust who participate in the Public Health Trust Defined Benefit Retirement Plan.

***Application of FASB Standards***

Governmental Accounting Standards Board ("GASB") Statement No. 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities that use Proprietary Fund Accounting*, offers the option of following all Financial Accounting Standards Board ("FASB") standards issued after November 30, 1989, unless the latter conflict with or contradict GASB pronouncements, or not following FASB standards issued after such date. The County and its enterprise funds elected the option not to follow the FASB standards issued after November 30, 1989.

***Proprietary Funds Operating vs. Nonoperating Items***

The County's proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items in their statements of revenues, expenses and changes in fund net assets. In general, operating revenues result from charges to customers for the purchase or use of the proprietary fund's principal product or service. Operating expenses relate to the cost of providing those services or producing and delivering those goods, and also include administrative expenses, depreciation of capital assets, and closure and postclosure care costs for active and inactive landfills.

All other revenues and expenses that do not result from the fund's principal ongoing operations are considered to be *nonoperating*. Examples of other nonoperating items include investment earnings, interest expense, grants and contributions, and passenger facility charges.

***Grants from Government Agencies***

Certain operating grants under various federal and state programs are included in the Special Revenue Funds. Grant monies received are disbursed by these funds for goods and services as prescribed under the respective grant program or are transferred to other County funds for ultimate distribution under the terms of the grants. These programs are dependent on the continued financial assistance of the state or federal government.

Grants designated as operating subsidies to enterprise funds are recorded as nonoperating revenues upon compliance with the grant's eligibility requirements. Grant monies designated for use in acquiring property or equipment are recorded as capital contributions. Grant monies received but not earned are recorded as unearned revenues.

### ***Interfund Activity***

As a general rule the effect of interfund activity has been eliminated from the government-wide statements. An exception to this rule is that charges for services provided by the Water and Sewer Department and the Solid Waste Department have not been eliminated from the statement of activities. Elimination of these charges would understate the expenses of the user function and the program revenues of the function providing the services. Also, the General Fund charges certain funds an administrative cost overhead charge based on a cost allocation plan. An adjustment has been made to the government-wide statements to eliminate the revenue and expense reported in the General Fund so that the administrative expense is shown only by the funds/activities that were charged.

### ***Flow Assumption for Restricted Assets***

If both restricted and unrestricted assets are available for use for a certain purpose, it is the County's policy to use restricted assets first, and then use unrestricted assets as needed.

### ***Use of Estimates***

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

## ***1-C. Assets, Liabilities, and Net Assets or Fund Balances***

### ***Cash, Cash Equivalents and Investments***

Cash includes cash on hand, amounts in demand deposits, and positions in investment pools that can be deposited or withdrawn without notice or penalty. Cash equivalents are short-term, highly liquid securities with known market values and maturities, when acquired, of less than three months.

The County adopted the provisions of GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and External Investment Pools*, which established accounting and financial reporting standards for all investments, including fair value standards. Non-participating investments, such as nonnegotiable certificates of deposit with redemption values that do not consider market rates, are reported at amortized cost. Participating investments are carried at fair value, and unrealized gains and losses due to variations in fair value are recognized for the year.

The provisions of GASB No. 31 also specify that the investment income of each fund be reported in the fund that is associated with the assets. If the investment income is assigned to another fund for other than legal or contractual reasons, the income has to be recognized in the fund that reports the investment, with an operating transfer to the recipient fund. The County has made the needed adjustments to the accompanying financial statements to ensure compliance with this provision.

### ***Inventories***

Inventories, consisting principally of materials and supplies held for use or consumption, are recorded at cost or weighted average for governmental funds and lower of cost (first-in, first-out method) or market for enterprise funds, except for the Transit Agency, Water and Sewer and Public Health Trust. These enterprise funds use the average cost method.

The purchases method of inventory accounting is used to report inventories in the governmental funds. Under this method, inventories are reported as expenditures when purchased. However, significant amounts of inventories are reported as assets and are offset by a reservation of fund balance to indicate

they do not constitute resources available for appropriation. In the Statement of Net Assets, inventories are accounted for using the consumption method characteristic of full accrual accounting. Under this method, the recognition of an expense is deferred until such time when the inventories are actually consumed.

### ***Mortgage and Notes Receivable***

Mortgages and notes receivable arise from the County's housing development programs that provide low-income housing assistance to eligible applicants and developers. These receivables are collateralized by the property for which the mortgage has been issued. Mortgages and notes receivable total \$562,130,000 and have an estimated allowance for uncollectible accounts of \$380,627,000.

### ***Accounts Receivables***

Accounts receivable reported by the enterprise funds as of September 30, 2008 are net of an allowance for uncollectible accounts of \$520,127,000.

### ***Property Taxes***

Property values are assessed as of January 1 of each year, at which time, according to the Florida Statute 197.122, taxes become an enforceable lien on property until discharged by payment or until barred under Chapter 95. Tax bills are mailed in October and are payable upon receipt with discounts at the rate of 4% if paid in November, decreasing by 1% per month with no discount available if paid in the month of March. Taxes become delinquent on April 1 of the year following the year of assessment and State law provides for enforcement of collection of property taxes by the sale of interest-bearing tax certificates and the seizure of personal property to satisfy unpaid property taxes. The procedures result in the collection of essentially all taxes prior to June 30 of the year following the year of assessment.

### ***Capital Assets***

Capital assets include land, buildings, furniture, fixtures, equipment, machinery, utility plant and systems, infrastructure (e.g., roads, bridges, sidewalks, and similar items) and construction work in progress with an estimated useful life in excess of one year. Capital assets used in the operation of governmental funds and those used in business-type activities are reported in the applicable columns in the government-wide financial statements.

Capital assets are recorded at cost if purchased or constructed. Contributed capital assets are recorded at estimated fair value at the date of contribution. The cost of maintenance, repairs and minor renewals and betterments are expensed as incurred, rather than capitalized (added to the cost of the asset). Major renewals and betterments are treated as capital asset additions.

Interest expense related to borrowings used for construction projects of business-type activities is capitalized, net of interest earned on the same funds. Interest capitalization ceases when the construction project is substantially complete. Net interest capitalized during fiscal year 2008 amounted to \$77,076,000. Interest is not capitalized for construction projects of governmental funds.

Capital assets are depreciated over their useful lives unless they are inexhaustible (e.g., land, certain individual items or collections with historical or artistic value). Pursuant to Florida Statute, the County inventories all assets with a historical cost of \$1,000 or more and a useful life of one year or greater. However, for financial reporting purposes, the County has established a capitalization threshold of \$5,000 for its governmental activities and from \$1,000 to \$5,000 for its business-type activities. The County uses the straight-line method of depreciation to depreciate assets over their estimated useful lives, which range as follows:

Buildings and building improvements	5-50 years
Utility plant and systems	5-100 years
Infrastructure	10-50 years
Furniture, fixtures, machinery and equipment	3-30 years

The Solid Waste Management enterprise fund records depletion on landfill sites and the estimated cost of permanently capping and maintaining such landfills on the basis of capacity used.

### ***Restricted Net Assets***

Certain net assets have been identified as “restricted”. These net assets have constraints as to their use externally imposed by creditors, through debt covenants, by grantors, or by enabling legislation. Restricted net assets are being reported for: Capital Projects, Debt Service, Housing Programs, Fire and Rescue, Transportation, Public Library, Community and Social Development, Environmentally Endangered Lands, Stormwater Utility, other purposes (expendable); and other purposes (nonexpendable).

Net assets restricted for “other purposes (expendable)” include the net assets of most of the other special revenue funds, including amounts for: Special Assessments; Wetlands Mitigation; Tourist and Convention Development taxes to be used for facilities such as convention centers, sports stadiums and arenas; and amounts from grants from the federal and state government. Net assets restricted for “other purposes (nonexpendable)” include permanent endowments for the Metrozoo and public libraries, and are reported in the permanent funds.

As of September 30, 2008, Miami-Dade County had \$2.112 billion of restricted net assets, of which \$828.5 million was restricted by enabling legislation.

### ***Reservations of Fund Balances***

Reservations of fund balances in governmental fund statements represent amounts that are not available for appropriation or are restricted by outside parties for use for a specific purpose.

### ***Donor-restricted endowments***

The permanent funds for the Metrozoo and public libraries report nonexpendable restricted assets of \$2,781,000 and \$479,000, respectively, and net appreciation of \$414,000 and \$31,000 respectively. Under the terms of the endowments and consistent with State statutes, the County is authorized based on a total-return policy to spend the net appreciation on those programs. Any amounts not spent during a particular fiscal year may be carried forward to be spent in future years.

### ***Long-term Obligations***

In the government-wide and proprietary type financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net assets. Bond premiums and discounts and deferral amounts on refunding are deferred and amortized over the life of the bonds using the effective interest method or the straight-line method if it does not differ materially from the effective interest method. Bonds payable are reported net of the applicable bond premium or discount and deferral amounts on refunding. Bond issuance costs are reported as deferred charges and amortized using the straight-line method over the life of the bonds.

In the fund financial statements, governmental fund types recognize bond premiums and discounts and bond issuance costs during the current period. The face amount of the debt issues are reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

***Compensated Absences***

The County accounts for compensated absences by recording a liability for employees' compensation of future absences according to the guidelines set by GASB Statement No. 16, *Accounting for Compensated Absences*.

County policy permits employees to accumulate unused vacation and sick pay benefits that will be paid to them upon separation from service. In the governmental funds, the cost of vacation and sick pay benefits is recognized when payments are made to employees. The government-wide statements and proprietary funds recognize a liability and expense in the period vacation and sick pay benefits are earned.

The government-wide statement of net assets for September 30, 2008 includes a liability for accumulated vacation and sick pay of \$607,091,000. Of this amount an estimated \$243,884,000 is payable within a year and the remaining balance of \$363,207,000 is payable after one year.

***Deferred Compensation Plan***

The County offers its employees a deferred compensation plan (the "Plan") created in accordance with Internal Revenue Code Section 457. The Plan, available to all County employees, allows them to defer a portion of their salary to future years. The County's direct involvement in the Plan is limited to remitting the amounts withheld from employees to the Plan's administrator. The deferred compensation plan is not available to employees until termination, retirement, death or an unforeseeable emergency. The deferred compensation plan is not included in the County's financial statements.

**Note 2 - Stewardship, Compliance and Accountability*****Miami-Dade Housing Agency***

The financial reporting entity for Miami-Dade County includes, among other programs, the combined operations of the Miami-Dade Housing Agency (MDHA), a department of Miami-Dade County. The MDHA activities are summarized in the County's CAFR in the Other Housing Programs Special Revenue Fund and are included in the County's governmental activities.

**US HUD Takeover of MDHA**

On August 7, 2007, the United States Department of Housing and Urban Development (US HUD) notified the County that it would take control of MDHA, citing the agency was in substantial default of its Public Housing Annual Contributions Contract by failing to maintain its books and records accurately and in accordance with GAAP. Additionally on August 7, 2007, US HUD declared the County in default of the Section 8 Consolidated Annual Contributions Contract, alleging failure to make progress in eliminating the backlog of annual reexaminations and failure to maintain books and records in accordance with US HUD requirements. The US HUD takeover action was authorized pursuant to the United States Housing Act of 1937.

On October 2, 2007, Miami-Dade County entered into a Settlement Agreement and Work Plan which enabled US HUD to take possession of MDHA effective on October 26, 2007. Under the Settlement Agreement, US HUD agreed to return possession of MDHA to the County upon the agency accomplishing specified tasks to improve operations.

On July 17, 2008, the County adopted Resolution 868-08, approving and authorizing execution of an amendment to the Settlement Agreement and Work Plan. The major points of the revised Settlement Agreement included reducing the control US HUD had over the MDHA and outsourcing the operations of the Section 8 Housing Choice Voucher program.

On January 8, 2009, US HUD returned control of the MDHA to the County after 15 months in its possession. US HUD will continue to monitor progress as outlined in a Memorandum of Understanding (MOU), which has a term of two years. In the MOU, the MDHA will accomplish specific tasks and objectives with US HUD providing oversight. In addition, the Miami-Dade Housing Agency is required to change its name to Miami-Dade Public Housing Agency.

***Self-Insurance Net Assets Deficit***

As of September 30, 2008, the Self-Insurance Internal Service Fund had a deficit in net assets of \$22.906 million. The deficit is the result of estimated losses incurred but not reported (IBNR). The County currently partially funds the IBNR liability and has steadily increased such coverage in recent years. The premium rates charged to County departments for health insurance, workers compensation and general liability have been adjusted to reflect rising costs of insurance. As required by generally accepted accounting principles (GASB Codification C50.128), the County has implemented an action plan to eliminate the accumulated deficit over a reasonable period of time.

***Legally Adopted Budgets***

The County's General Fund, Debt Service Funds, Permanent Funds, and Special Revenue Funds, with the exception of the Clerk of Courts Operations Special Revenue Fund, have legally adopted annual budgets approved by the Board of County Commissioners. As dictated by Article V of the Florida Constitution, the Clerk of the Courts Operations Special Revenue Fund's budget is submitted to the State's Clerk of Court (COC) Operations Conference for their review and approval. The Clerk of the Court is accountable to the COC Operations Conference for court-related expenditures funded by the State. The General Fund's budget-to-actual comparison is presented in the Required Supplementary Information section. The remaining funds' budget-to-actual comparisons are presented in the Supplementary Information section of this report.

**Note 3 - Cash, Cash Equivalents and Investments*****Deposits and Investments:***

Miami-Dade County ("the County") is authorized through Florida Statutes §218.415, Ordinance No. 84-47, Resolution R-1074-04 and its Investment Policy to make certain investments. The County pools substantially all cash, cash equivalents and investments, except for separate cash and investment accounts that are maintained in accordance with legal restrictions.

Each fund's equity share of the total pooled cash, cash equivalents and investments is included in the accompanying financial statements under the caption "Cash and cash equivalents" and "Investments."

All cash deposits are held in qualified public depositories pursuant to State of Florida Statutes Chapter 280, "Florida Security for Public Deposits Act." Under the Act, all qualified public depositories are required to pledge eligible collateral having a market value equal to or greater than the average daily or monthly balance of all public deposits times the depository's collateral pledging level. The pledging level may range from 50% to 125% depending upon the depository's financial condition and establishment period. All collateral must be deposited with an approved financial institution. Any losses to public depositors are covered by applicable deposit insurance, sale of securities pledged as collateral and, if necessary, assessments against other qualified public depositories of the same type as the depository in default.

As a rule, the County intends to hold all purchased securities until their final maturity date. There may be occasional exceptions, including, but not limited to the need to sell securities to meet unexpected liquidity needs as well as sales relating to swap transactions.

At September 30, 2008, the cash on hand of the primary government and fiduciary funds totaled \$350,521,996, exclusive of cash in PHT’s Pension Trust Fund (Note 9) and cash collateral for security lending transactions (Note 3). The carrying value of cash equivalents and investments of the primary Government and fiduciary funds, other than PHT’s Pension Trust Fund, include the following (in thousands):

Investment Type	Fair Value
Federal Home Loan Mortgage Corporation	\$ 279,760
Federal Home Loan Bank	1,163,018
Federal Farm Credit Bank	378,467
Fannie Mae	788,186
Federal Agricultural Mortgage Corporation	8,998
Time Deposits	148,381
Treasury Notes	414,528
Money Market	9,512
Commercial Paper	745,302
Municipal Bonds	85,899
Repurchase Agreements	385
Guaranteed Investment Contracts	441,232
	\$ 4,463,669

**Credit Risk**

The County’s Investment Policy (the Policy), minimizes credit risk by restricting authorized investments to: the State of Florida Local Government Surplus Funds Trust Fund or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act; Securities and Exchange Commission (SEC) registered money market funds with the highest credit quality rating from a nationally recognized rating agency; interest-bearing time deposits or savings accounts in qualified public depositories, pursuant to Florida Statutes §280.02, which are defined as banks, savings bank, or savings association organized under the laws of the United States with an office in this state that is authorized to receive deposits, and has deposit insurance under the provisions of the Federal Deposit Insurance Act; direct obligations of the United States Treasury; federal agencies and instrumentalities; securities of, or other interests in, any open-end or closed-end management-type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio is limited to the obligations of the United States government or any agency or instrumentality thereof and to repurchase agreements fully collateralized by such United States government obligations, and provided that such investment company or investment trust takes delivery of such collateral either directly or through an authorized custodian; Commercial paper of prime quality with a stated maturity of 270 days or less from the date of its issuance, which has the highest letter and numerical rating as provided for by at least one nationally recognized rating service; Bankers Acceptances which have a stated maturity of 180 days or less from the date of its issuance, and have the highest letter and numerical rating as provided for by at least one nationally recognized rating service, and are drawn on and accepted by commercial banks and which are eligible for purchase by the Federal Reserve Bank; Investments in Repurchase Agreements (“Repos”) collateralized by securities authorized by this policy. Securities Lending - Securities or investments purchased or held under the provisions of this section may be loaned to securities dealers or financial institutions provided the loan is collateralized by cash or securities having a market value of at least 102% of the market value of the securities loaned upon initiation of the transaction. The credit ratings below were consistent among the three major rating agencies (Moody’s, Standard and Poor’s, and Fitch).

The table below summarizes the investments by credit rating at September 30, 2008.

<b>Investment Type</b>	<b>Credit Rating (N/A = not rated)</b>
Federal Home Loan Mortgage Corporation	AAA
Federal Home Loan Bank	AAA
Federal Farm Credit Bank	AAA
Federal National Mortgage Association	AAA
Federal Agricultural Mortgage Corporation	N/A
Time Deposits	N/A
Treasury Notes	N/A
Commercial Paper	A1/P1
Municipal Bonds	AA
Repurchase Agreements	N/A
Guaranteed Investment Contracts	N/A

### ***Custodial Credit Risk***

The Policy requires that bank deposits be secured per Chapter 280, Florida Statutes. This requires local governments to deposit funds only in financial institutions designated as qualified public depositories by the Chief Financial Officer of the State of Florida and creates the Public Deposits Trust Fund, a multiple financial institution pool with the ability to assess its member financial institutions for collateral shortfalls if a default or insolvency has occurred. At September 30, 2008 all of the County's bank deposits were in qualified public depositories and as such the deposits are not exposed to custodial credit risks.

The Policy requires the execution of a Custodial Safekeeping Agreement (CSA) for all purchased securities and shall be held for the credit of the County in an account separate and apart from the assets of the financial institution.

### ***Concentration of Credit Risk***

The Policy establishes limitations on portfolio composition by investment type and by issuer to limit its exposure to concentration of credit risk. The Policy provides that a maximum of 50% of the portfolio may be invested in the State of Florida Local Government Surplus Trust Fund (the "Pool"), however, bond proceeds may be temporarily deposited in the Pool until other investments have been purchased; a maximum of 30% of the portfolio may be invested in SEC registered money market funds with no more than 10% to any single money market fund; a maximum of 20% of the portfolio may be invested in non-negotiable interest bearing time certificates of deposit or savings accounts with no more than 5% deposited with any one issuer; a maximum 75% of the total portfolio may be invested in federal agencies and instrumentalities with no limits on individual issuers (investment in agencies containing call options shall be limited to a maximum of 25% of the total portfolio); a maximum of 5% of the portfolio may be invested in open-end or closed-end funds; a maximum of 50% of the portfolio may be invested in prime commercial paper with a maximum of 5% with any one issuer; a maximum of 25% of the portfolio may be invested in bankers acceptance with a maximum of 10% with any one issuer; a maximum of 60% of the portfolio may be invested in both commercial paper and bankers acceptance; a maximum of 20% of the portfolio may be invested in repurchase agreements with the exception of one (1) business day agreements, with a maximum of 10% of the portfolio in any one institution or dealer with the exception of one (1) business day agreements.

As of September 30, 2008 the following issuers held 5% or more of the investment portfolio:

<b>Issuer</b>	<b>% of Portfolio</b>
Federal Farm Credit Bank	9.41%
Federal Home Loan Bank	29.11%
Federal Home Loan Mortgage Corporation	6.97%
Fannie Mae	19.48%

The above excludes investments issued or explicitly guaranteed by the U.S. government and investments in mutual funds and external investment pools.

**Interest Rate Risk**

The Policy limits interest rate risk by requiring the matching of known cash needs and anticipated net cash outflow requirements; following historical spread relationships between different security types and issuers; evaluating both interest rate forecasts and maturity dates to consider short-term market expectations. The Policy requires that investments made with current operating funds shall maintain a weighted average of no longer than 1 year. Investments for bond reserves, construction funds and other non-operating fund shall have a term appropriate to the need for funds and in accordance with debt covenants. The Policy limits the maturity of an investment to a maximum of 5 years.

As of September 30, 2008 the County had the following investments with the respective weighted average maturity.

Investment Type	Weighted Average in Years
Federal Home Loan Mortgage Corporation	1.07
Federal Home Loan Bank	0.57
Federal Farm Credit Bank	1.32
Fannie Mae	0.62
Freddie Mac	0.06
Time Deposits	0.34
Treasury Notes	0.59
Commercial Paper	0.04
Municipal Bonds	2.22

**Foreign Currency Risk**

The Policy limits the County’s foreign currency risk by excluding foreign investments as an investment option.

**Cash Deficits**

As of September 30, 2008, the Transit Agency, the Hurricane Funds and the Community and Social Development Funds had cash deficit balances of approximately \$128.4 million, \$9.1 million and \$9.1 million, respectively. It is the County’s practice to reclassify cash deficits with a corresponding interfund receivable/payable in the appropriate fund. These cash deficits are funded with cash advances from the County’s General Fund.

**Swaps**

Swaps are made in accordance with the provisions of County Resolution R-311-05, “Master SWAP Policy.” The Board must authorize the swap agreement and its provisions. Generally, the County will enter into transactions only with counterparties whose obligations are rated in the double-A category or better from at least one nationally recognized rating agency. In instances when the credit rating is lowered below the A rating the County requires the counterparty to collateralize its exposures or the County will exercise its right to terminate. The County’s swap policy seeks to mitigate counterparty risk, termination risk, interest rate risk, basis risk, amortization risk, liquidity risk and pricing risk.

**Securities Lending**

Miami-Dade County (“the County”) is authorized through Florida Statutes §218.415, Ordinance No. 84-47, Resolution R-1074-04 and its Investment Policy to lend its investment securities on a fully collateralized, temporary basis to approved broker-dealers and other counterparties (“Borrowers”) pursuant to a Securities Lending Agreement (“Agreement”) that provides for the return of identical securities in the future. The County has executed an Agreement with a bank acting as the County’s securities lending agent (“Agent”) in these transactions. There were no violations of legal or contractual provisions during the year.

While the County's investment policy does not restrict the types of securities on loan, during the year the County made only specific portfolios available for loan consisting of US Government securities. The Agent lends securities of the type on loan at year-end in exchange for collateral in the form of U.S. securities issued or guaranteed by the U.S. Government at 102% margin or cash at minimum of 100% margin, plus accrued interest, at the initiation of the transaction. Loan transactions are marked to market daily to ensure that adequate collateral is held at all times.

At September 30, 2008, the County had no credit risk exposure to borrowers because the value of the collateral held by the County's Agent exceeded the value of the securities on loan. In the event of a borrower default, the Agent has the authority to seize collateral on the County's behalf. The Agreement with the Agent requires it to indemnify the County against losses caused by the insolvency of a borrower. No losses were recognized because of default by counterparties. The County was not exposed to custodial credit risk since cash collateral was fully invested at all times. There was no interest rate risk involved in the securities lending transactions since the maturity of loans and investments made with cash collateral had identical maturities and repricing characteristics. There was no foreign currency risk involved in the County's securities lending activities as all transactions were negotiated in US dollars.

All securities loans can be terminated on demand by either the County or the borrower. The average term of the loans is one day. Cash collateral is reported as an asset of the County in the accompanying basic financial statements with an offsetting liability. Under the terms of the Agreement with borrowers, the County cannot pledge or sell securities that it receives as collateral unless the borrower defaults on its obligations. During the period, all loans were collateralized by cash. The Agreement authorizes the Agent to invest cash collateral in instruments approved by the County. During the period, cash collateral was invested in repurchase agreements and an SEC registered money market fund rated AAA by S&P. The Agent indemnifies the County against losses associated with investing cash collateral in repurchase agreements. As of September 30, 2008, the market value of securities on loan was \$349,470,334 and the cash collateral received was \$351,704,825. As of October 2008, the County discontinued the securities lending transactions. No losses were incurred as a result of these transactions.

**Note 4 - Capital Assets**

Capital asset activity for the year ended September 30, 2008 for the governmental activities, business-type activities and major proprietary funds was as follows (in thousands)

	Beginning Balance As Previously Reported September 30, 2007	Prior Period Adjustment (Restated - Note 11)	Beginning Balance Restated September 30, 2007	Additions	Deletions	Ending Balance September 30, 2008
<b>Governmental activities:</b>						
Capital assets, not being depreciated:						
Land	\$ 592,079	\$ 31,028	\$ 623,107	\$ 10,964	\$ (92)	\$ 633,979
Construction in progress	269,469		269,469	179,700	(113,075)	336,094
Total capital assets, not being depreciated	861,548	31,028	892,576	190,664	(113,167)	970,073
Capital assets, being depreciated:						
Building and building improvements	2,233,852	\$ (53,554)	2,180,298	24,806		2,205,104
Infrastructure	2,292,328		2,292,328	82,864		2,375,192
Machinery and equipment	385,116		385,116	65,462	(17,826)	432,752
Total capital assets, being depreciated	4,911,296	(53,554)	4,857,742	173,132	(17,826)	5,013,048
Less accumulated depreciation for:						
Building and building improvements	(652,641)		(652,641)	(48,795)		(701,436)
Infrastructure	(1,321,101)		(1,321,101)	(49,663)		(1,370,764)
Machinery and equipment	(207,147)		(207,147)	(39,666)	17,651	(229,162)
Total accumulated depreciation	(2,180,889)		(2,180,889)	(138,124)	17,651	(2,301,362)
Total capital assets, being depreciated, net	2,730,407	(53,554)	2,676,853	35,008	(175)	2,711,686
Total governmental capital assets, net	\$ 3,591,955	\$ (22,526)	\$ 3,569,429	\$ 225,672	\$ (113,342)	\$ 3,681,759
<b>Business-type activities:</b>						
Capital assets, not being depreciated:						
Land	\$ 627,220		\$ 627,220	\$ 26,516	\$ (3,722)	\$ 650,014
Construction in progress	1,852,255		1,852,255	980,310	(339,559)	2,493,006
Total non-depreciable assets	2,479,475		2,479,475	1,006,826	(343,281)	3,143,020
Capital assets, being depreciated:						
Building and building improvements	6,200,091	4,267	6,204,358	56,835	(14,881)	6,246,312
Infrastructure	4,925,958		4,925,958	185,071	(2,253)	5,108,776
Machinery and equipment	2,256,182		2,256,182	183,491	(45,932)	2,393,741
Total capital assets, being depreciated	13,382,231	4,267	13,386,498	425,397	(63,066)	13,748,829
Less accumulated depreciation for:						
Building and building improvements	(2,228,882)		(2,228,882)	(192,753)	1,539	(2,420,096)
Infrastructure	(1,774,943)		(1,774,943)	(136,186)	2,337	(1,908,792)
Machinery, and equipment	(1,399,769)		(1,399,769)	(145,094)	45,570	(1,499,293)
Total accumulated depreciation	(5,403,594)		(5,403,594)	(474,033)	49,446	(5,828,181)
Total capital assets, being depreciated, net	7,978,637	4,267	7,982,904	(48,636)	(13,620)	7,920,648
Total business-type capital assets, net	\$ 10,458,112	\$ 4,267	\$ 10,462,379	\$ 958,190	\$ (356,901)	\$ 11,063,668

MDT	Balance September 30, 2007	Additions	Deletions	Balance September 30, 2008
Capital assets, not being depreciated:				
Land	\$ 202,639	\$ 26,202	\$ (2,492)	\$ 226,349
Construction in progress	128,783	103,047	(58,081)	173,749
Total capital assets, not being depreciated	<u>331,422</u>	<u>129,249</u>	<u>(60,573)</u>	<u>400,098</u>
Capital assets, being depreciated:				
Buildings and building improvements	1,404,484	26		1,404,510
Machinery and equipment	616,280	34,383	(26,192)	624,471
Total capital assets, being depreciated	<u>2,020,764</u>	<u>34,409</u>	<u>(26,192)</u>	<u>2,028,981</u>
Less accumulated depreciation for:				
Buildings and building improvements	(580,303)	(35,112)		(615,415)
Machinery and equipment	(351,062)	(36,828)	25,861	(362,029)
Total accumulated depreciation	<u>(931,365)</u>	<u>(71,940)</u>	<u>25,861</u>	<u>(977,444)</u>
Total capital assets, being depreciated, net	<u>1,089,399</u>	<u>(37,531)</u>	<u>(331)</u>	<u>1,051,537</u>
Total MDT capital assets, net	<u>\$ 1,420,821</u>	<u>\$ 91,718</u>	<u>\$ (60,904)</u>	<u>\$ 1,451,635</u>

**SOLID WASTE**

Capital assets, not being depreciated:				
Land	\$ 57,686		\$ (100)	\$ 57,586
Construction in progress	13,632	\$ 2,897	(6,142)	10,387
Total capital assets, not being depreciated	<u>71,318</u>	<u>2,897</u>	<u>(6,242)</u>	<u>67,973</u>
Capital assets, being depreciated:				
Buildings and building improvements	308,289	2,240		310,529
Infrastructure	134,201			134,201
Machinery and equipment	155,270	11,242	(6,226)	160,286
Total capital assets, being depreciated	<u>597,760</u>	<u>13,482</u>	<u>(6,226)</u>	<u>605,016</u>
Less accumulated depreciation for:				
Buildings and building improvements	(247,201)	(11,056)		(258,257)
Infrastructure	(116,391)	(8,811)		(125,202)
Machinery and equipment	(59,029)	(15,417)	5,649	(68,797)
Total accumulated depreciation	<u>(422,621)</u>	<u>(35,284)</u>	<u>5,649</u>	<u>(452,256)</u>
Total capital assets, being depreciated, net	<u>175,139</u>	<u>(21,802)</u>	<u>(577)</u>	<u>152,760</u>
Total Solid Waste capital assets, net	<u>\$ 246,457</u>	<u>\$ (18,905)</u>	<u>\$ (6,819)</u>	<u>\$ 220,733</u>

SEAPORT	Balance September 30, 2007		Additions	Deletions	Balance September 30, 2008			
Capital assets, not being depreciated:								
Land	\$	198,872	\$	178	\$	(391)	\$	198,659
Construction in progress		35,480		16,760		(37,055)		15,185
Total capital assets, not being depreciated		234,352		16,938		(37,446)		213,844
Capital assets, being depreciated:								
Buildings and building improvements		404,381		19,165				423,546
Infrastructure		260,697		18,788				279,485
Machinery and equipment		32,813		6,111				38,924
Total capital assets, being depreciated		697,891		44,064				741,955
Less accumulated depreciation for:								
Buildings and building improvements		(127,096)		(11,300)				(138,396)
Infrastructure		(63,744)		(6,478)				(70,222)
Machinery and equipment		(11,705)		(2,084)				(13,789)
Total accumulated depreciation		(202,545)		(19,862)				(222,407)
Total capital assets, being depreciated, net		495,346		24,202				519,548
Total Seaport capital assets, net	\$	729,698	\$	41,140	\$	(37,446)	\$	733,392

**AVIATION**

Capital assets, not being depreciated:								
Land	\$	88,836					\$	88,836
Construction in progress		1,203,589	\$	649,135	\$	(69,283)		1,783,441
Total capital assets, not being depreciated		1,292,425		649,135		(69,283)		1,872,277
Capital assets, being depreciated:								
Buildings and building improvements		3,546,231		21,817		(14,884)		3,553,164
Infrastructure		1,097,202		162				1,097,364
Machinery and equipment		279,821		62,843		(1,544)		341,120
Total capital assets, being depreciated		4,923,254		84,822		(16,428)		4,991,648
Less accumulated depreciation for:								
Buildings and building improvements		(982,695)		(113,182)		1,539		(1,094,338)
Infrastructure		(419,663)		(7,813)				(427,476)
Machinery and equipment		(178,350)		(17,080)		1,488		(193,942)
Total accumulated depreciation		(1,580,708)		(138,075)		3,027		(1,715,756)
Total capital assets, being depreciated, net		3,342,546		(53,253)		(13,401)		3,275,892
Total Aviation capital assets, net	\$	4,634,971	\$	595,882	\$	(82,684)	\$	5,148,169

WATER & SEWER	Balance		Balance	
	September 30, 2007	Additions	Deletions	September 30, 2008
Capital assets, not being depreciated:				
Land	\$ 38,274	\$ 136	\$ (739)	\$ 37,671
Construction in progress	404,010	183,860	(161,399)	426,471
Total capital assets, not being depreciated	442,284	183,996	(162,138)	464,142
Capital assets, being depreciated:				
Infrastructure	3,360,231	165,751	(2,338)	3,523,644
Machinery and equipment	823,017	23,010	(9,769)	836,258
Total capital assets, being depreciated	4,183,248	188,761	(12,107)	4,359,902
Less accumulated depreciation for:				
Infrastructure	(1,135,086)	(110,371)	2,337	(1,243,120)
Machinery and equipment	(571,502)	(44,712)	9,893	(606,321)
Total accumulated depreciation	(1,706,588)	(155,083)	12,230	(1,849,441)
Total capital assets, being depreciated, net	2,476,660	33,678	123	2,510,461
Total Water and Sewer capital assets, net	\$ 2,918,944	\$ 217,674	\$ (162,015)	\$ 2,974,603

**PHT**

Capital assets, not being depreciated:				
Land	\$ 36,635			\$ 36,635
Construction in progress	64,426	\$ 22,799	\$ (5,633)	81,592
Total capital assets, not being depreciated	101,061	22,799	(5,633)	118,227
Capital assets, being depreciated:				
Buildings and building improvements	494,128	11,620	3	505,751
Infrastructure	29,445	370	85	29,900
Machinery and equipment	343,367	45,076	(1,872)	386,571
Total capital assets, being depreciated	866,940	57,066	(1,784)	922,222
Less accumulated depreciation for:				
Buildings and building improvements	(275,291)	(20,722)		(296,013)
Infrastructure	(18,879)	(1,158)		(20,037)
Machinery and equipment	(226,531)	(28,767)	2,679	(252,619)
Total accumulated depreciation	(520,701)	(50,647)	2,679	(568,669)
Total capital assets, being depreciated, net	346,239	6,419	895	353,553
Total PHT capital assets, net	\$ 447,300	\$ 29,218	\$ (4,738)	\$ 471,780

Depreciation expense was charged to the different functions of governmental activities as follows (in thousands):

**Governmental Activities  
Depreciation Expense by Function  
(in thousands)**

<b>Function</b>	<b>Amount</b>
Policy formulation and general government	\$ 37,070
Protection of people and properties	22,672
Physical environment	1,084
Transportation	47,888
Health	805
Socio-economic environment	6,463
Culture and recreation	22,142
Total depreciation expense - governmental activities	<u>\$ 138,124</u>

Depreciation expense was charged to the different functions of business-type activities as follows (in thousands):

**Business-type Activities  
Depreciation Expense by Function  
(in thousands)**

<b>Function</b>	<b>Amount</b>
Mass transit	\$ 71,940
Solid waste collection	9,505
Solid waste disposal	25,779
Seaport	19,863
Aviation	138,117
Water	60,859
Sewer	94,022
Public health	50,447
Other	3,142
Total depreciation expense - business-type activities	<u>\$ 473,674</u>

**Note 5 – Leases****Lease Leaseback Transactions**

**General Segment** - During fiscal year 1998, the County entered into a three party Lease/Sublease agreement with Dana Commercial Credit Corporation (“Dana”) regarding the leasing rights of the Stephen P. Clark Center (the “Metro Center”). The terms of the Lease/Sublease agreement provide for the leasing of the County’s leasing rights of the Metro Center to a third party, Wilmington Savings as trustee for Redade, a subsidiary of Dana, which in turn subleases the asset back to the County for a period of 29 years, commencing June 1, 1998. During this time period, the County retains title and control of the facility. The building facility is included in the capital assets of the County in the government-wide Statement of Net Assets.

At closing, the County received a total of \$79 million, of which \$3.7 million was considered an up-front payment and was recognized as revenue in fiscal year 1998. \$57 million of the remaining \$75.3 million was deposited with a financial institution and the proceeds will be used to meet the payment obligations by the County under the sublease agreement. The remaining \$18 million will mature to an amount sufficient, approximately \$49 million, to fully defease its sublease obligations and buy-out option, 17.5 years subsequent to the commencing date. There is a purchase option allowed under the agreement in the year 2015.

The total original minimum lease payments of approximately \$125 million will be amortized on a straight-line basis over the life of the lease term. This Lease/Sublease agreement has been accounted for as a non-cancelable operating lease as part of the other nonmajor governmental funds. Refer to Note 14 – Subsequent Events, concerning this lease / leaseback agreement.

The future minimum lease payments are as follows (in thousands):

Year Ending September 30,		
2009	\$	4,896
2010		5,029
2011		5,171
2012		5,324
2013		5,488
2014-2018		64,851
	\$	<u>90,759</u>

**Transit Agency** - During fiscal year 1997, the County entered into a three party lease-in/lease-out arrangement (“Lease 1”) with the Bank of New York Leasing Corporation for a total of 134 commuter rail cars. The agreements provide for the lease of the equipment owned by the County to a financial party lessee and the lessee, in turn, subleases such equipment back to the County for a period ranging from 22 to 24 years commencing May 1997. At the time of the transaction, the County received from the financial party lessee the total minimum rental payments required under the lease of approximately \$95 million.

The County deposited \$70,350,000 with a financial institution sufficient to meet all of its payment obligations under the terms of the sublease and acquired \$17,583,000 in United States Treasury Strips that will mature to an amount sufficient to satisfy each agreement’s purchase of the Head Lease Rights option. The funds on deposit and the United States Treasury Strips have been included as restricted assets in the accompanying financial statements.

In December 1998, the County entered into a second lease-in/lease-out arrangement ("Lease 2"). The agreement which was entered into with NationsBanc Leasing and Finance, provided for the lease of six different facilities owned by the County to a financial party lessee and the lessee, in turn, subleased the facilities back to the County for a period of 35 years. At the time of commencement, the County received from the financial party approximately \$133 million.

The County deposited approximately \$120.9 million with a financial institution sufficient to meet all its payment obligations under the terms of the sublease agreement and buy-out options, ranging from 19 to 20 years subsequent to the commencing date.

On August 14, 2002, a portion of the third lease-in/lease-out arrangement (QTE Lease) commenced. This agreement which was entered into with the Bank of America Leasing & Capital Group, provided for the lease of certain Qualified Technological Equipment owned by the County and consisted of the MDT control system. The agreement provided for the lease of the equipment to a financial party lessee and the sublease of such equipment back to the County for a period of 16 years.

At the time of commencement, the County received from the financial party a total of approximately \$239 million. The County deposited approximately \$229 million with a financial institution sufficient to meet all its payment obligations.

On April 7, 2008, MDT and Equity Trust entered into an early buyout and amendment agreement on the 134 rail cars lease agreement whereby the County and MDT exercised its purchase option and paid the purchase option price. In the purchase option, the County and MDT assumed all of the obligations of Lessor and headlessee thereby terminating the 1997 agreement. Upon the execution of the early buyout, all equity collateral was automatically released from the lien of the pledge and security agreement and the obligations of the Custodian (MDT) under the custody agreement were automatically terminated.

The balance in the Investment and the Capital lease payable of \$36,521,000 were closed and the remaining unamortized upfront benefit of \$4,592,000 was fully amortized to income. In addition, the purchase option provided for the County to receive \$200,000 as termination fee.

Refer to Note 14 – Subsequent Events, concerning these lease / leaseback agreements.

Future minimum lease payments are as follows (in thousands):

Year Ending September 30,	
2009	\$ 26,351
2010	26,495
2011	26,519
2012	26,584
2013	62,186
2014-2018	<u>308,049</u>
	<u>476,184</u>
Less amount representing interest	<u>(139,393)</u>
Present value of minumum sublease payments	<u>\$ 336,791</u>

**Operating Leases**

**General Segment** – The County leases various facilities under noncancelable operating leases. Total cost for the leases was \$16.6 million for the year ended September 30, 2008. The future minimum lease payments for these leases are as follows (in thousands):

Year Ending September 30,		
2009	\$	14,410
2010		10,981
2011		7,632
2012		3,521
2013		1,699
2014-2018		3,717
2019-2023		3,717
2024-2028		3,709
2029-2033		2,800
2034-2038		375
		<u>\$ 52,561</u>

**Public Health Trust** – The Public Health Trust leases various equipment and facilities under operating leases. Rent expense for all operating leases was approximately \$14.496 million in 2008. At September 30, 2008, future minimum lease payments by year under non-cancelable operating leases are as follows (in thousands):

Year Ending September 30,		
2009	\$	9,690
2010		7,618
2011		7,033
2012		5,329
2013		5,329
		<u>\$ 34,999</u>

**Aviation** - The major portion of the Aviation Department's property, plant and equipment is held for lease. Substantial portions of the leases are cancelable and provide for periodic adjustment to rental rates to maximize operational flexibility. The non-cancelable lease agreements also provide for periodic adjustments to the rental rates. All leases are classified as operating leases. The Aviation Department recognized \$103.483 million of rental income for the year ended September 30, 2008.

In addition, the Aviation Department leases certain properties under management and concession agreements. Certain of these leases provide for minimum rentals plus a specified percentage of the tenants' gross revenues. The agreements generated revenues of \$103.989 million during the year ended September 30, 2008. At September 30, 2008 minimum rentals under such lease agreements are as follows (in thousands):

Year Ending September 30,	
2009	\$ 64,947
2010	60,496
2011	50,549
2012	43,649
2013	39,235
2014-2018	59,254
2019-2023	32,294
2024-2028	21,329
2029-2033	7,148
2034-2038	5,660
2039-2043	3,133
2044-2048	1,804
2049-2053	962
	<u>\$ 390,460</u>

**Note 6 – Disaggregation of Accounts Receivable and Accounts Payable Balances**

**Accounts Receivable**

Receivables are comprised of amounts owed to the County by customers, patients, carriers and others that conduct business with the County and are expected to be collected within a year. Receivables in the General Fund are 31% customer receivables, 39% utilities taxes for the month of September, and the remaining amount due from other entities. Receivables in the Other Governmental Funds are 82% from Fire Department transport fees, 12% from Miami Dade Housing Department’s tenants and others, and 6% from miscellaneous charges. Net receivables in the Business-type Activities are 66% due from patients and carriers, 19% due from water and sewer customers, 9% due from airlines and concessionaires, 3% from solid waste disposal and collection customers, 2% from water ports and terminal charges, and the remaining 1% from transit fees and rental facility fees.

	Accounts	Allowance for uncollectible accounts	Total Net Receivables
Governmental activities:			
General Fund	\$ 13,944	\$ (2,136)	\$ 11,808
Internal Service Fund	1,198		1,198
Other Governmental Funds	79,860	(54,694)	25,166
Total - governmental activities	<u>\$ 95,002</u>	<u>\$ (56,830)</u>	<u>\$ 38,172</u>
Business-type activities:			
Public Health Trust	\$ 756,437	\$ (474,432)	\$ 282,005
Water and Sewer Department	108,229	(24,411)	83,818
Aviation Department	50,122	(12,989)	37,133
Miami-Dade Transit	2,462	(2,117)	345
Seaport Department	14,229	(4,857)	9,372
Solid Waste Department	14,341	(1,321)	13,020
Other Non-major proprietary	1,160		1,160
Total - business-type activities	<u>\$ 946,980</u>	<u>\$ (520,127)</u>	<u>\$ 426,853</u>

**Accounts Payable**

Accounts payable and accrued expenses at September 30, 2008, were as follows (in thousands):

	Vendors	Salaries and Benefits	Total
Governmental activities:			
General	\$ 69,603	\$ 33,253	\$ 102,856
Other non-major governmental	110,525	5,332	115,857
Internal Service Fund	1,344		1,344
Total - governmental activities	<u>\$ 181,472</u>	<u>\$ 38,585</u>	<u>\$ 220,057</u>
Business-type activities:			
Miami-Dade Transit	\$ 30,449	\$ 6,784	\$ 37,233
Solid Waste Department	15,918	1,612	17,530
Seaport Department	10,080	739	10,819
Aviation Department	205,150	4,187	209,337
Water and Sewer Department	41,499	5,601	47,100
Public Health Trust	164,832	30,962	195,794
Other Non-major proprietary	2,945	179	3,124
Total - business-type activities	<u>\$ 470,873</u>	<u>\$ 50,064</u>	<u>\$ 520,937</u>

**Note 7 - Self-Insurance Program**

The County's Risk Management Division (RMD) administers workers' compensation and general liability self-insurance programs. A large portion of the group medical insurance program is also self-insured and is managed by an independent third party administrator. The County continues to offer one fully insured HMO program. The County purchases commercial property insurance for County-owned properties, but maintains no excess coverage with independent insurance carriers for the workers' compensation and general liability self-insurance programs. Premiums are charged to the various County departments based on amounts necessary to provide funding for current losses and to meet the required annual payments during the fiscal year. The County purchases commercial insurance in certain instances due to exposure to loss and/or contractual obligations.

The estimated liability for reported and unreported claims of the self-insurance programs administered by RMD is determined annually based on the estimated ultimate costs of settling claims, past experience adjusted for current trends, and other factors that would modify past experience. Outstanding claims are evaluated through a combination of case-by-case reviews and application of historical experience. The estimate of incurred but not reported losses is based on historical experience and is performed by an independent actuary.

The Risk Management Division also administers the self-insurance program for the Enterprise Funds. Water and Sewer only participates in the workers' compensation and certain group health self-insurance programs. Water and Sewer has established a self-insurance program for general and automobile liability exposures. RMD administers the claims on their behalf. The Public Health Trust (the Trust) maintains its own self-insurance programs for general and professional liability claims. Until 1/1/08, the County acted as the servicing agent for the Trust's self-insurance worker's compensation program. The Trust participates in the County's benefit programs, including the self insured medical plan and the fully insured dental and life insurance programs. The RMD places and administers a commercial property insurance program for Trust properties.

The Aviation Department pays premiums to commercial insurance carriers for airport liability insurance, construction wrap-up insurance and participates in the County's property insurance program. The airport liability coverage provides comprehensive general liability, contractual liability, personal injury and on-site automobile liability at all airports.

The County's Self-Insurance Internal Service Fund has an accumulated deficit of approximately \$22.9 million for various self-insurance programs administered by the County. The County has implemented an action plan in an effort to reduce the accumulated deficit. County management believes that the deficit will be made up over a reasonable period of time.

Changes in the Internal Service Fund estimated liability amount for fiscal years 2007 and 2008 are as follows (in thousands):

	<b>Workers Compensation</b>	<b>General, Auto, and Police Liability</b>	<b>Group Health</b>	<b>Other</b>	<b>Total</b>
Balance as of October 1, 2006	\$ 123,044	\$ 33,819	\$ 17,942		\$ 174,805
Claims paid	(54,715)	(40,910)	(128,685)	\$ (3,723)	(228,033)
Claims and changes in estimates	95,241	30,751	131,525	3,723	261,240
Liabilities as of September 30, 2007	\$ 163,570	\$ 23,660	\$ 20,782		\$ 208,012
Claims paid	(69,145)	(40,749)	(119,197)	\$ (4,321)	(233,412)
Claims and changes in estimates	60,369	45,206	122,251	4,321	232,147
Liabilities as of September 30, 2008	\$ 154,794	\$ 28,117	\$ 23,836		\$ 206,747

Changes in estimated liabilities for the Water and Sewer Department and the Public Health Trust for fiscal years 2007 and 2008 are as follows (in thousands):

	<b>Water &amp; Sewer Department</b>	<b>Public Health Trust</b>	<b>Total</b>
Balance as of October 1, 2006	\$ 3,537	\$ 35,183	\$ 38,720
Claims paid	(609)	(2,493)	(3,102)
Claims and changes in estimates	1,175	3,539	4,714
Liabilities as of September 30, 2007	\$ 4,103	\$ 36,229	\$ 40,332
Balance as of October 1, 2007	\$ 4,103	\$ 36,229	\$ 40,332
Claims paid	(484)	(13,535)	(14,019)
Claims and changes in estimates	40	8,423	8,463
Liabilities as of September 30, 2008	\$ 3,659	\$ 31,117	\$ 34,776

**Note 8 – Long-Term Debt****LONG-TERM LIABILITY ACTIVITY**

Changes in long-term liabilities for the year ended September 30, 2008 are as follows (amounts in thousands):

	Beginning Balance September 30, 2007	Additions	Reductions	Ending Balance September 30, 2008	Due Within One Year
<b>Governmental Activities</b>					
Bonds, loans and notes payable:					
General obligation bonds	\$ 472,236	99,600	\$ (48,240)	\$ 523,596	\$ 8,400
Special obligation bonds	1,761,161	\$ 50,435	(44,723)	1,766,873	68,990
Current year accretions of interest		26,344		26,344	
Loans and notes payable	253,591	45,780	(21,441)	277,930	22,233
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	32,554	3,027	(2,740)	32,841	
Total bonds, loans and notes payable	2,519,542	225,186	(117,144)	2,627,584	99,623
Other liabilities:					
Compensated absences	360,774	166,402	(143,021)	384,155	104,147
Estimated insurance claims payable	208,012	232,147	(233,412)	206,747	63,376
Other postemployment benefits		15,397	(5,229)	10,168	
Departure Incentive Plan	3,316		(542)	2,774	643
Arbitrage rebate liability	3,098	(208)		2,890	
Capital Lease	11,149		(291)	10,858	310
Other	28,418	15,132	(3,461)	40,089	3,068
Total governmental activity long-term liabilities	\$ 3,134,309	\$ 654,056	\$ (503,100)	\$ 3,285,265	\$ 271,167
<b>Business-type Activities</b>					
Bonds, loans, and notes payable:					
Revenue bonds	\$ 6,146,050	\$ 1,678,335	\$ (963,738)	\$ 6,860,647	\$ 131,953
General obligation bonds	138,510		(3,940)	134,570	4,200
Special obligation bonds	41,460		(6,045)	35,415	6,305
Current year accretions of interest	3,950	1,740		5,690	
Loans and notes payable	647,889	6,220	(104,377)	549,732	21,932
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	(48,650)	32,306	6,779	(9,565)	
Commercial paper notes	70,295	330,871	(401,166)		
Total bonds, loans and notes payable	6,999,504	2,049,472	(1,472,487)	7,576,489	164,390
Other liabilities:					
Estimated insurance claims payable	40,332	8,463	(14,019)	34,776	7,344
Compensated absences	201,181	96,133	(74,378)	222,936	139,737
Other postemployment benefits		5,485		5,485	
Environmental remediation liability	107,839	731	(13,204)	95,366	7,365
Liability for landfill closure/post closure care costs	108,718	14,467	(9,682)	113,503	6,583
Lease agreements	393,887	526	(39,946)	354,467	32,211
Other	53,841	17,677	(8,692)	62,826	1,269
Total business-type activities long-term liabilities	\$ 7,905,302	\$ 2,192,954	\$ (1,632,408)	\$ 8,465,848	\$ 358,899

Changes in long-term liabilities for the County's major enterprise funds are as follows (in thousands):

	Beginning Balance September 30, 2007	Additions	Reductions	Ending Balance September 30, 2008	Due Within One Year
<b>Miami-Dade Transit Agency (MDTA)</b>					
Bonds and loans payable:					
Revenue bonds	\$ 132,192	\$ 224,130	\$ (2,142)	\$ 354,180	\$ 5,128
Special obligation bonds	25,205		(3,760)	21,445	3,915
Loans payable	119,980		(88,021)	31,959	5,343
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	6,448	3,501	(37)	9,912	
Total bonds and loans payable	283,825	227,631	(93,960)	417,496	14,386
Other liabilities:					
Compensated absences	33,523	21,989	(19,449)	36,063	13,087
Other postemployment benefits		1,870		1,870	
Lease agreements	375,326		(38,535)	336,791	26,351
Other	17,631		(5,829)	11,802	1,236
Total long-term liabilities - MDTA	\$ 710,305	\$ 251,490	\$ (157,773)	\$ 804,022	\$ 55,060
<b>Solid Waste Department</b>					
Bonds and loans payable:					
Revenue bonds	\$ 196,231		\$ (11,924)	\$ 184,307	\$ 14,384
Special obligation bonds	16,255		(2,285)	13,970	2,390
Current year accretions of interest	3,950	\$ 1,740		5,690	
Loans and notes payable	10117		(1,206)	8,911	1,213
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	1,634		141	1,775	
Total bonds and loans payable	228,187	1,740	(15,274)	214,653	17,987
Other liabilities:					
Compensated absences	14,112	9,700	(8,889)	14,923	3,811
Other postemployment benefits		501		501	
Liability for landfill closure/postclosure care costs	108,718	14,467	(9,682)	113,503	6,583
Other	1,191	75	(163)	1,103	
Total long-term liabilities - Solid Waste	\$ 352,208	\$ 26,483	\$ (34,008)	\$ 344,683	\$ 28,381

	Beginning Balance September 30, 2007	Additions	Reductions	Ending Balance September 30, 2008	Due Within One Year
<b>Seaport</b>					
Bonds and loans payable:					
Revenue bonds	\$ 64,575		\$ (3,180)	\$ 61,395	\$ 3,395
General obligation bonds	138,510		(3,940)	134,570	4,200
Loans payable	345,306		(3,500)	341,806	3,500
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	(9,450)	\$ (2,134)	778	(10,806)	
Total bonds and loans payable	538,941	(2,134)	(9,842)	526,965	11,095
Other liabilities:					
Compensated absences	4,779	2,979	(1,923)	5,835	1,546
Other postemployment benefits		215		215	
Environmental remediation liability	2,438	731	(23)	3,146	
Lease agreements	5,794		(1,411)	4,383	1,562
Other	1,337	8	(925)	420	33
Total long-term liabilities - Seaport	\$ 553,289	\$ 1,799	\$ (14,124)	\$ 540,964	\$ 14,236

**Aviation**

Bonds, loans, and notes payable:					
Revenue bonds	\$ 3,997,560	\$ 1,011,350	\$ (486,545)	\$ 4,522,365	\$ 63,250
Loans payable	54,710		(1,615)	53,095	1,480
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	(29,412)	(120)	4,370	(25,162)	
Commercial paper notes	70,295	330,871	(401,166)		
Total bonds, loans and notes payable	4,093,153	1,342,101	(884,956)	4,550,298	64,730
Other liabilities:					
Compensated absences	24,803	13,394	(10,998)	27,199	7,313
Other postemployment benefits		679		679	
Environmental remediation liability	105,401		(13,181)	92,220	7,365
Lease agreements	12,767	526		13,293	4,298
Other		4,017		4,017	
Total long-term liabilities - Aviation	\$ 4,236,124	\$ 1,360,717	\$ (909,135)	\$ 4,687,706	\$ 83,706

	Beginning Balance September 30, 2007	Additions	Reductions	Ending Balance September 30, 2008	Due Within One Year
<b>Water and Sewer Department</b>					
Bonds and loans payable:					
Revenue bonds	\$ 1,451,555	\$ 442,855	\$ (454,395)	\$ 1,440,015	\$ 40,236
Loans payable	117,776		(9,833)	107,943	10,187
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	(19,960)	30,545	1,527	12,112	
Total bonds and loans payable	1,549,371	473,400	(462,701)	1,560,070	50,423
Other liabilities:					
Estimated insurance claims payable	4,103	40	(484)	3,659	1,474
Compensated absences	33,039	35,607	(33,039)	35,607	11,688
Other postemployment benefits		1,098		1,098	
Other	31,935		(1,775)	30,160	
Total long-term liabilities - Water and Sewer Dept.	\$ 1,618,448	\$ 510,145	\$ (497,999)	\$ 1,630,594	\$ 63,585

**Public Health Trust (PHT)**

Bonds and loans payable:					
Revenue bonds	\$ 300,000		\$ (4,745)	\$ 295,255	\$ 4,910
Add/subtract deferred amounts:					
For bond issuance premiums/discounts/refundings	2,090	\$ 514		2,604	
Total bonds and loans payable	302,090	514	(4,745)	297,859	4,910
Other liabilities:					
Estimated insurance claims payable	36,229	8,423	(13,535)	31,117	5,870
Compensated absences	89,735	12,185		101,920	101,920
Other postemployment benefits		1,122		1,122	
Other	1,747	13,577		15,324	
Total long-term liabilities - Public Health Trust	\$ 429,801	\$ 35,821	\$ (18,280)	\$ 447,342	\$ 112,700

Compensated absences have typically been liquidated in the General Fund, other governmental funds and enterprise funds. Liabilities for landfill and postclosure care costs have been liquidated in the Solid Waste enterprise fund. Legal contingencies have typically been liquidated in the General Fund. Insurance claims liabilities have typically been liquidated in the Self-Insurance Internal Service Fund and in the enterprise funds. The Self-Insurance Internal Service Fund predominantly serves the governmental funds. When an internal service fund predominantly serves governmental funds the residual balances of the internal service fund should be reported as part of governmental activities. Therefore, the long-term liabilities of the fund are included in the above totals for governmental activities.

**Demand Bonds**

At September 30, 2008, the County had \$1,100,000 of Capital Asset Acquisition Floating / Fixed Rate Special Obligation Bonds, Series 1990 (the "Bonds") that were due within seven days of demand by the holder at a price equal to principal plus accrued interest. The County's remarketing agent is authorized to use its best efforts to sell the repurchased bonds at par by adjusting the interest rate.

Under a standby bond purchase agreement (the "Agreement") issued by a bank, the fiscal agent can draw amounts sufficient to repurchase the Bonds if they cannot be resold by the remarketing agent. In the absence of monies available under the Agreement, the monies will be drawn under an irrevocable letter of credit. The letter of credit has a stated termination date of November 1, 2012. There was \$200,000 outstanding under the letter of credit at September 30, 2008.

**Long-Term Debt -- Governmental Activities**

Long-term debt of the County's governmental activities include general and special obligation bonds, installment purchase contracts and loan agreements that are payable from property tax levies and specific revenue sources. General obligation bonds are payable from unlimited ad valorem taxes on all taxable real and tangible personal property of the County, and are backed by the full faith, credit and taxing power of the County. Special obligation bonds are limited obligations of the County, payable solely from and secured by pledged non-ad valorem revenues of the County. Neither the full faith and credit nor the taxing power of the County is pledged to the payment of the special obligation bonds. Interest on variable-rate bonds, currently in an auction rate mode, is based on the BMA index and is currently reset every 28 days. Debt service requirements for interest on variable-rate debt was calculated using the rates in effect as of September 30, 2008.

Annual debt service requirements to maturity are as follows (in thousands):

**Long-Term Bonded Debt, Governmental Activities**

(amounts in thousands)

Maturing in Fiscal Year	General Obligation Bonds		Special Obligation Bonds		Loans and Notes Payable	
	Principal	Interest	Principal	Interest	Principal	Interest
2009	\$ 8,400	\$ 28,263	\$ 68,990	\$ 58,304	\$ 22,233	\$ 12,337
2010	8,835	27,701	55,644	59,066	23,585	11,398
2011	9,300	27,107	72,078	59,818	23,883	10,389
2012	9,780	26,474	61,178	58,352	24,531	9,364
2013	9,955	25,812	62,646	57,253	23,246	8,308
2014-2018	53,896	117,796	352,677	303,985	94,808	26,908
2019-2023	73,505	98,202	337,458	294,733	41,437	10,697
2024-2028	116,275	74,521	392,113	304,373	24,207	2,097
2029-2033	147,040	43,747	520,226	343,983		
2034-2038	86,610	8,724	478,178	236,423		
2039-2043			53,329	91,285		
	523,596	478,347	2,454,517	1,867,575	277,930	91,498
Less:						
Unaccreted value			(661,300)			
Accretions to date				(175,664)		
Add:						
Unamortized premium / discount and deferred charges on bond refundings			32,841			
Total	\$ 523,596	\$ 478,347	\$ 1,826,058	\$ 1,691,911	\$ 277,930	\$ 91,498

**Long-Term Debt – Business-type Activities**

Long-term debt of business-type activities includes revenue bonds, special obligation bonds and loans payable from specified revenues of the County's enterprise funds. Also included are general obligation bonds issued on behalf of the Seaport Department, which will be paid from Seaport revenues and, to the extent those revenues are insufficient, from ad valorem taxes. Interest on variable-rate bonds, currently in an auction rate mode, is based on the BMA index and is currently reset every 28 days. Debt service requirements for interest on variable-rate debt was calculated using the rates in effect as of September 30, 2008.

Annual debt service requirements to maturity are as follows (in thousands):

Maturing in Fiscal Year	Revenue Bonds		General Obligation Bonds		Special Obligation Bonds		Loans and Notes Payable	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
2009	\$ 131,953	\$ 309,146	\$ 4,200	\$ 6,945	\$ 6,305	\$ 1,707	\$ 21,932	\$ 15,705
2010	130,530	337,468	4,470	6,663	6,560	1,440	26,431	16,047
2011	140,035	331,171	4,755	6,363	6,875	1,117	26,229	14,824
2012	139,044	326,398	5,070	6,079	7,255	778	26,957	13,971
2013	144,598	320,311	5,330	5,812	7,605	416	39,619	15,016
2014-2018	812,865	1,495,660	31,030	24,562	815	78	115,063	50,824
2019-2023	987,665	1,257,537	39,840	15,527			82,753	36,413
2024-2028	1,169,354	978,753	39,875	4,214			89,027	25,528
2029-2033	1,042,387	697,475					105,720	9,955
2034-2038	1,172,180	433,653					16,001	577
2039-2043	1,002,310	130,807						
	6,872,921	6,618,379	134,570	76,165	35,415	5,536	549,732	198,860
Less:								
Unaccreted value	(6,584)							
Accretions to date		(5,690)						
Unamortized discount and deferred amounts	(26,010)		(7,749)				(2,134)	
Add:								
Unamortized bond premium	25,072				1,256			
Total	\$ 6,865,399	\$ 6,612,689	\$ 126,821	\$ 76,165	\$ 36,671	\$ 5,536	\$ 547,598	\$ 198,860

**Public Health Trust Bonds Payable**

The Series 2005 Bonds (the Bonds) are secured by the gross revenues of the Public Health Trust (the Trust). The Bonds are subject to certain covenants included in Ordinance No. 05-49 (the Ordinance), together with certain ordinances and Series resolutions, which authorize and issue the Bonds by and between the Trust and the County. In addition, the Trust must comply with certain covenants included in the Bond insurance agreements.

The Ordinance contains significant restrictive covenants including, among other items, the requirement to maintain a minimum long-term debt service coverage ratio, to make scheduled monthly deposits to the debt service fund, maintenance of insurance on the Trust's facilities and limitations on the incurrence of additional debt. In general, the bond insurance agreement contains the same covenants as the Ordinance.

**Commercial Paper Notes (Short-term Debt to be Refinanced on a Long-Term Basis)**

On September 30, 2008, the County had no outstanding Aviation Commercial Paper Notes.

**State Infrastructure Bank Note**

On February 6, 2007, the Board of County Commissioners approved the construction of the N.W. 25th Street Viaduct Project (Viaduct Project) by the Florida Department of Transportation (FDOT) and approved a County loan in the amount of \$50 million from the FDOT State Infrastructure Bank to fund the County's share of the total cost of the Viaduct Project. FDOT and the County subsequently entered into a joint participation agreement on March 12, 2007 whereby FDOT will construct the Viaduct Project and closed on the loan on March 21, 2007. The loan is secured by a County covenant to annually budget and appropriate from County legally available non-ad valorem revenue funds sufficient to pay debt service costs.

The funds are held in escrow by the FDOT State Infrastructure Bank for the construction of the project. As of September 30, 2008, cash held in escrow by agent totaled \$29.8 million (included in "Other Restricted Assets"). During fiscal year 2008 there were drawdowns totaling \$20.2 million. As of September 30, 2008, the outstanding loan balance was \$50 million. The loan bears interest at 2% per annum. The maturity date of the loan is October 1, 2019 and the first scheduled payment of \$5 million is due on October 1, 2009.

**Long-Term Debt Issued During the Year**

The table below describes bonds and loans that were issued during the year (other than commercial paper) for governmental and business-type activities (in thousands):

Date Issued	Description	Purpose	Interest Rate Range	Final Maturity Date	Original Amount Issued
<b>BONDS:</b>					
12/20/07	Miami-Dade County, Florida Aviation Revenue Refunding Bonds, Series 2007C (AMT)	To refund Series 1996A, 1996B, 1996C, and 1997B bonds.	5.00-5.25%	10/1/26	\$ 367,700,000
12/20/07	Miami-Dade County, Florida Aviation Revenue Refunding Bonds, Series 2007D (NON-AMT)	To refund Series 1996A, 1996B, 1996C, and 1997B bonds.	4.00-5.25%	10/1/26	\$ 43,650,000
4/30/08	Miami-Dade County, Florida General Obligation Bonds (Building Better Communities Program) Series 2008A	To finance partial contribution of the County's obligation to pay a portion of the cost of the Port Tunnel Project or to pay a portion of the cost of other bridges, public infrastructure and neighborhood improvements approved in the Infrastructure Authorizing Resolution	4.00-5.00%	7/1/38	\$ 99,600,000
6/24/08	Miami-Dade County, Florida Transit System Sales Surtax Revenue Bonds, Series 2008	To pay all or a portion of the cost of certain transportation and transit projects, refund the outstanding Sunshine State Loan and pay the cost of issuance	4.75-5.00%	7/1/38	274,565,000
6/26/08	Miami-Dade County, Florida Aviation Revenue Bonds, Series 2008A (AMT)	Finance certain airport improvements associated with the Airport's Capital Improvement Plan previously approved by the Board	5.25-5.50%	10/1/41	433,565,000
6/26/08	Miami-Dade County, Florida Aviation Revenue Bonds, Series 2008B (NON-AMT)	Finance certain airport improvements associated with the Airport's Capital Improvement Plan previously approved by the Board	4.00-5.00%	10/1/41	166,435,000
7/15/08	Miami-Dade County, Florida Water and Sewer System Revenue Bonds, Series 2008A	To pay the termination payment due in connection with the termination of the Interest Rate Swap Agreement associated with the Series 1994 Bonds	3.25-5.00%	10/1/22	68,300,000
7/15/08	Miami-Dade County, Florida Water and Sewer System Revenue Bonds, Series 2008B	To redeem all of the County's Water and Sewer System Revenue Bonds, Series 1994 and to pay issuance and surety costs	3.25-5.00%	10/1/22	374,555,000
<b>LOANS:</b>					
6/24/08	Sunshine State Governmental Financing Commission, Series L (Various Projects) - Loan #18	To pay or reimburse the County for the cost of acquiring certain capital equipment and/or constructing certain improvements for various County departments and to fund the required reserve funds	Variable	9/1/27	45,780,000
6/24/08	Sunshine State Governmental Financing Commission, Series L (Rickenbacker Causeway Projects)- Loan #18	To pay or reimburse the County for the cost of acquiring certain capital equipment and/or constructing certain improvements for various County departments and to fund the required reserve funds	Variable	9/1/27	6,220,000

Total long-term debt issued during the year

\$ 1,880,370,000

**Current Refundings and Restructured Debt**

In March 2008, the County remarketed \$139,700,000 of Auction Rate Aviation Revenue Refunding Bonds, Series 2003E to Fixed Rate Bonds. The Series 2003E bonds bear stated interest rates ranging from 5.125% to 5.375%, with \$70,125,000 serial bonds due October 1, 2010 to 2018 and \$69,575,000 term bonds due October 1, 2024. As a result of this transaction, the Aviation Department increased its aggregate debt service payments over the next 17 fiscal years and incurred an economic loss of approximately \$4,443,105. This projected economic loss is computed using prevailing interest rates at the time of refunding. However, market conditions were deteriorating and the market for auction rate securities was disappearing. Had a failed auction scenario occurred prior to the refunding, the interest rate would have defaulted to 13%. By refunding in March 2008, the Aviation Department avoided paying the default rate.

On April 10, 2008, the County refunded \$11,275,000 of Capital Asset Acquisition Auction Rate Special Obligation Bonds, Series 2002B, and \$17,450,000 of Capital Asset Acquisition Auction Rate Special Obligation Bonds, Series 2007B, with \$11,275,000 Refunding Special Obligation Notes, Series 2008A and \$17,250,000 Refunding Special Obligation Notes, Series 2008B, respectively. The Notes bear fixed interest rates, but the principal payment terms remain the same as the Bonds. The Notes are limited special obligations of the County and will be payable solely from legally available non-ad valorem revenues of the County budgeted and appropriated annually. The Series 2002B and 2007B Bonds were redeemed on May 30, 2008 and May 23, 2008, respectively. The refunding of the Bonds was undertaken as a result of the volatility in the market for auction rates securities.

In June 2008, the Sunshine State Governmental Financing Commission restructured the Miami-Dade Sunshine State Loans under the Commercial Paper Program in the original amount of \$530,638,000 into the new Sunshine State Governmental Financing Commission Loans, Series 2008L, with the substitution of DEPPFA as the letter of credit provider to Dexia Credit Local. Dexia has provided a three-year letter of credit which expires on June 2, 2011. The major difference between the old debt agreements and the new debt agreements was the acquisition of a letter of credit. The Letter of Credit is for a three year period (June 2, 2008 through June 2, 2011). Pursuant to the terms of the loan agreements, in the event that the credit facility provider does not extend the term of the credit facility and the County and the Sunshine State Governmental Financing Commission are unable to provide an alternate credit facility, the County shall prepay the loan in full by paying the then allocable optional prepayment price on or before 60 days prior to the expiration of the credit facility. The restructuring had no effect on the terms, principal payments or amortization of the loans. The Series 2008L loan balance as of September 30, 2008 was \$512,978,000.

In July 2008, the County issued \$374,555,000 of Series 2008B Miami-Dade County Water and Sewer System Revenue Refunding Bonds to redeem all of the County's Water and Sewer System Revenue Bonds, Series 1994, and to pay issuance and surety costs. Although the refunding resulted in a deferred charge of \$1.4 million, the Water and Sewer Department reduced its aggregate debt service payments by \$13.7 million. The refunding of the Series 1994 Bonds "triggered" the termination of the Interest Swap Agreement associated with the Series 1994 Bonds, which resulted in a termination payment in the amount of \$76,400,000. The County issued \$68,300,000 of Water and Sewer System Revenue Bonds, Series 2008A, to partially fund the termination payment. The Series 2008A and Series 2008B Bonds were issued as fixed rate bonds, with final maturity on 2022.

In September 2008, the County remarketed and converted \$45,850,000 of Juvenile Courthouse Auction Rate Bonds, Series 2003B, to Variable Rate Demand Bonds (VRDBs) in a weekly mode. The liquidity for the Series 2003B Bonds is being provided by an irrevocable direct-pay letter of credit issued by a financial institution. The letter of credit is subject to renewal on September 1, 2011. Prior to this action, the Series 2003B Bonds were Auction Rate Bonds, for which there was no market. The conversion and remarketing of these Auction Rate Bonds to VRDBs in a weekly mode resulted in cost savings due to favorable interest rates achieved in the short-term market. There was no change in the original structure of the Series 2003B Bonds, which remained term bonds with final maturity on April 1, 2023.

**Defeased Debt – Advance Refundings**

In December 2007, the County issued \$367,700,000 of Series 2007C Aviation Revenue Bonds and \$43,650,000 of Series 2007D Aviation Revenue Bonds, all of which remains outstanding as of September 30, 2008. The Series 2007C and 2007D were issued to refund Series 1996A, 1996B, 1996C, and 1997B. The Series 2007C bonds bear stated interest rates ranging from 5.00% to 5.25%, with \$367,000,000 serial bonds due October 1, 2008 to 2026. The Series 2007D bonds bear stated interest rates ranging from 4.00% to 5.25%, with \$43,650,000 serial term bonds due October 1, 2008 to 2026. The advance refunding of Series 1996A, 1996B, 1996C, and 1997B resulted in a deferred accounting loss of approximately \$19,594,097 for the fiscal year ended September 30, 2008. As a result of this transaction, the Aviation Department decreased its aggregate debt service payments by \$36,640,646 over the next 18 years and realized an economic gain of \$23,069,106.

In prior years, the County defeased certain debt as listed in the table below (in thousands), by placing the proceeds of new bond issues in an irrevocable trust to provide for all future debt service payments of the defeased debt. Such proceeds are invested in direct obligations of the U.S. government, and in the opinion of the County and its Bond Counsel, will provide for all future debt service payments on the defeased debt. Accordingly, the trust account's assets and the liability for the defeased debt are not included in the accompanying financial statements.

Type	Series	Date of Defeasance	Call Date	Final Maturity Defeased	Principal Amount Defeased	Principal Outstanding, September 30, 2008
<b>Special Obligation Bonds:</b>						
Sports Franchise Facilities Tax	1992B	07/09/98	10/01/11	10/01/22	\$ 59,609	\$ 7,500
Sports Franchise Facilities Tax	1995	07/09/98	10/01/30	10/01/30	30,162	29,256
Special Obligation (CDT)	1996B	12/18/97	10/01/08	10/01/33	75,120	69,766
Total Special Obligation Bonds Defeased					<u>\$ 164,891</u>	<u>\$ 106,522</u>
<b>Revenue Bonds and Loans:</b>						
Rickenbacker Causeway	1983	08/29/85	10/01/08	10/01/08	\$ 5,225	\$ 2,420
Total Revenue Bonds and Loans Defeased					<u>\$ 5,225</u>	<u>\$ 2,420</u>

**Interest Rate Swap Agreements**

As a debt management tool, the County has entered into several swap transactions.

**The Fair Value of Swap** is determined at September 30, 2008 based on the zero-coupon method. This method calculates the future net settlement payments required by the swap, assuming that the current forward rates implied by the yield curve correctly anticipates future spot interest rates. These payments are then discounted using the spot rates implied by the current yield curve for hypothetical zero-coupon bonds due on the date of each future net settlement of the swap.

Below is a recap in chart form of the swaps in effect as of September 30, 2008.

**Water and Sewer****Objective**

To obtain a lower fixed rate than what was available in the Bond Market and to obtain the lower cost of borrowing.

	<b>Date of Execution</b>	<b>Notional Amount</b>	<b>Termination Date <sup>(1)</sup></b>	<b>Associated Bonds</b>	<b>County Payment</b>	<b>Counter-party Payment</b>	<b>Counter-party Credit Rating</b>	<b>Paid Termination Value 7/15/08</b>
<b>1</b>	2/4/94	\$416,075,000 amortizing in step with the Bonds.	10/5/22	W&S Series 94	Fixed – 5.28%	Variable – Bond Rate	Aa2, AA, AA	(\$76,400,000)

<sup>(1)</sup> The swap was terminated on July 15, 2008.

In July 2008, \$374,555,000 of Series 2008B Miami-Dade County Water and Sewer System Revenue Refunding Bonds were issued to redeem all of the County's Water and Sewer System Revenue Bonds, Series 1994, and to pay issuance and surety costs. In conjunction with the refunding of the County's Water and Sewer System Revenue Bonds, Series 1994, the County terminated a swap associated with these bonds. The County issued Water and Sewer System Revenue Bonds, Series 2008A, in the amount of \$68,300,000 to partially pay the termination value of \$76,400,000.

	Date of Execution	Notional Amount	Termination Date <sup>(1)</sup>	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
2	10/1/05	\$295,240,000 amortizing in step with the Bonds.	10/1/25	W&S Series 2005	Fixed – 5.27%	SIFMA	Aaa, AA+, AA	(\$53,042,681)

<sup>(1)</sup> The swap was terminated on November 19, 2008.

Using rates as of September 30, 2008 debt service requirements of the variable-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows <sup>(1)</sup>.

Fiscal Year Ending 09/30	Variable Rate Bonds		Interest Rate Swap	Total
	Principal	Interest <sup>(2)</sup>	Net Payments <sup>(3)</sup>	
2009	\$0	\$14,213	\$795	\$15,008
2010	0	14,213	519	14,732
2011	0	14,213	225	14,438
2012	0	14,213	(86)	14,127
2013	5,460	14,213	(397)	19,276
2014-2018	32,135	68,945	(2,019)	99,061
2019-2023	42,145	64,625	(2,258)	104,512
2024-2026	<u>215,500</u>	<u>24,773</u>	<u>(6,422)</u>	<u>233,851</u>
Total	<u>\$295,240</u>	<u>\$229,408</u>	<u>(\$9,643)</u>	<u>\$515,005</u>

<sup>(1)</sup> In thousands.

<sup>(2)</sup> Interest rate on the Bonds on September 30, 2008 was 2.40707%.

<sup>(3)</sup> The rate is calculated as the difference between the variable rate paid by the counterparty to the County (2.40707%) and the fixed rate paid by County to the counterparty (5.27%) as of September 30, 2008 (2.40707% - 5.27%= -2.86293%).

	<b>Execution Date</b>	<b>Notional Amount</b>	<b>Termination Date <sup>(1)</sup></b>	<b>Associated Bonds</b>	<b>County Payment</b>	<b>Counter-party Payment</b>	<b>Counter-party Credit Rating</b>	<b>Termination Value Paid 6/15/08</b>
<b>3</b>	12/15/93	\$215,000,000 amortizing in step with the Bonds commencing 9/25/15.	6/15/20 with option to terminate 6/15/08 <sup>(1)</sup>	W&S Series 07	SIFMA – after 6/15/08, to 6/15/20	Fixed – 4.902%	A1, A+, A+	\$0

<sup>(1)</sup> The swap was terminated on June 15, 2008. Option to terminate was embedded in the fixed rate of the Swap at time option was purchased. The County recognized the benefit of the option in a higher fixed receiver rate on the Swap. No payment by either party at termination.

	Execution Date	Notional Amount <sup>(1)</sup>	Termination Date	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
4	8/27/98	\$200,000,000	10/1/26	W&S Series 07	SIFMA	Variable SIFMA plus (USD-LIBOR-BBA plus 1.455%) minus (SIFMA divided by 0.604)	Baa1, A, Rating Withdrawn <sup>(2)</sup>	(\$7,776,279)

(1) Amortizing in the following manner:

	Notional amount balance
10/1/21	\$ 186,245,000
10/1/22	\$ 167,090,000
10/1/23	\$ 146,930,000
10/1/24	\$ 125,715,000
10/1/25	\$ 103,380,000

(2) The Counterparty is not rated by the rating agencies and was backed by an “AAA” guarantor at the time the swap was entered. The swap’s rating is based on the rating of the guarantor. The guarantor was downgraded from “Aaa” to “Aa3” on 6/19/08 and then again on 11/5/08 to “Baa1” by Moodys; downgraded from “AAA” to “AA” on 6/5/08 and then again on 11/19/08 to “A” by S&P, and had its “AAA” rating withdrawn on 6/26/08 by Fitch.

Using rates as of September 30, 2008, debt service requirements of the fixed-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows. <sup>(1)</sup> As rates vary, fixed-rate bond interest payments remain the same and net swap payments may vary.

Fiscal Year	Variable Rate Bonds		Interest Rate Swap	
Ending 09/30	Principal	Interest <sup>(2)</sup>	Net Receipts <sup>(3)</sup>	Total
2009	\$190	\$16,418	\$522	\$16,086
2010	380	16,406	522	16,264
2011	10,715	16,151	522	26,344
2012	11,200	15,657	522	26,335
2013	11,695	15,176	522	26,349
2014 - 2018	66,155	68,003	2,610	131,548
2019 - 2023	82,520	50,971	2,574	130,917
2024 - 2027	161,835	22,419	1,418	182,836
Total	<u>\$344,690</u>	<u>\$221,201</u>	<u>\$9,212</u>	<u>\$556,679</u>

(1) In thousands.

(2) Interest rate on the Bonds is the actual fixed rate on the Bonds.

(3) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County (2.407%+((2.407%/0.604)-(2.791%+1.455%))= 2.1461% and the tax-exempt variable rate paid by County to the Counterparty 2.40707% as of September 30, 2008 (2.1461% - 2.4071%= 0. 2610%).

	Execution Date	Notional Amount <sup>(1)</sup>	Termination Date	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
5	3/6/06	\$205,070,000	10/1/29	W&S Series 2007 and after the final maturity of the Series 2007 Bonds, the Series 1999A Bonds	SIFMA	Variable SIFMA plus (USD-LIBOR-BBA plus 1.580%) minus (SIFMA divided by 0.604)	Aaa, AA-, AA <sup>(2)</sup>	(\$3,102,286)

(1) Amortizing in the following manner:

	Notional amount balance
10/1/22	\$ 150,000,000
10/1/27	\$ 102,420,000
10/1/28	\$ 2,460,000

(2) The Counterparty is not rated by the rating agencies and is backed by an “Aaa” guarantor. The swap’s rating is based on the rating of the guarantor.

Using rates as of September 30, 2008, debt service requirements of the fixed-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows. <sup>(1)</sup> As rates vary, fixed-rate bond interest payments remain the same and net swap payments may vary.

Fiscal Year Ending 09/30	Variable Rate Bonds		Interest Rate Swap	Total
	Principal	Interest <sup>(2)</sup>	Net Receipts <sup>(3)</sup>	
2009	\$190	\$16,418	\$4,045	\$12,563
2010	380	16,406	4,045	12,741
2011	10,715	16,151	4,045	22,821
2012	11,200	15,657	4,045	22,812
2013	11,695	15,176	4,045	22,826
2014 - 2018	66,155	68,003	20,227	113,931
2019 - 2023	82,520	50,971	20,227	113,264
2024 - 2028	209,415	28,730	14,795	223,350
2029 - 2030	<u>102,420</u>	<u>5,184</u>	<u>3,055</u>	<u>104,549</u>
Total	<u>\$494,690</u>	<u>\$232,696</u>	<u>\$78,529</u>	<u>\$648,857</u>

(1) In thousands.

(2) Interest rate on the Series 2007 Bonds on September 30, 2008 was 2.11728%. Interest rate on the Series 1999A Bonds is the actual fixed rate on the Bonds.

(3) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County ((90.15%\*4.324%+1.5800%) = 5.47809%) and the tax-exempt variable rate paid by County to the Counterparty (2.11728%/0.604=3.50543%) as of September 30, 2008 (5.47809% - 3.50543%= 1.97266%).

## Special Obligation Bonds and Subordinate Special Obligation Bonds

**Objective**

To lower the County's overall cost of borrowing.

	Execution Date	Notional Amount	Termination Date	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
1	5/12/00	\$77,014,295 amortizing in step with the Bonds commencing 10/1/00.	10/1/22	SOB Series 1996B	SIFMA divided by 0.604	Libor plus a constant of 1.65343%	Baa1, A, Rating Withdrawn <sup>(1)</sup>	(\$228,062)
2	7/21/04	\$6,344,802 amortizing in step with the Bonds commencing 10/1/04.	10/1/10	SOB Series 1996B	SIFMA divided by 0.604	Libor plus a constant of 1.770%	Baa1, A, Rating Withdrawn <sup>(1)</sup>	\$57,925

- (1) The Counterparty is not rated by the rating agencies and was backed by an "AAA" guarantor at the time the swap was entered. The swap's rating is based on the rating of the guarantor. The guarantor was downgraded from "Aaa" to "Aa3" on 6/19/08 and then on 11/5/08 the guarantor was further downgraded to "Baa1" by Moodys, from "AAA" to "AA" on 6/5/08 and then on 11/19/08 the guarantor was further downgraded to "A" by S&P and had its "AAA" rating withdrawn on 6/26/08 by Fitch.

Using rates as of September 30, 2008, debt service requirements of the fixed-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows. <sup>(1)</sup> As rates vary, fixed-rate bond interest payments remain the same and net swap payments may vary.

Fiscal Year Ending 09/30	Variable Rate Bonds		Interest Rate Swap Net Receipts		Total
	Principal	Interest <sup>(2)</sup>	Swap 1 <sup>(3)</sup>	Swap 2 <sup>(4)</sup>	
2009	\$2,064	\$4,862	\$444	\$44	\$6,438
2010	2,135	5,201	432	6	6,898
2011	3,696	7,270	419	0	10,547
2012	3,669	7,821	398	0	11,092
2013	3,541	8,275	377	0	11,439
2014 - 2018	0	15,478	1,783	0	13,695
2019 - 2023	0	15,478	1,427	0	14,051
2024 - 2028	0	15,478	0	0	15,478
2029 - 2034	0	18,573	0	0	18,573
2035 - 2036	<u>61,910</u>	<u>3,165</u>	<u>0</u>	<u>0</u>	<u>65,075</u>
Total	<u>\$77,015</u>	<u>\$101,601</u>	<u>\$5,280</u>	<u>\$50</u>	<u>\$173,286</u>

(1) In thousands.

(2) Interest rate on the Bonds is the actual fixed rate on the Bonds.

(3) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County (2.79130% + 1.6534% = 4.4447%) and the tax-exempt variable rate paid by County to the Counterparty (2.40707%/0.604 = 3.9852%) as of September 30, 2008 (4.4447% - 3.9852% = 0.4595%).

(4) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County (2.79130% + 1.7700% = 4.5613%) and the tax-exempt variable rate paid by County to the Counterparty (2.40707%/0.604 = 3.9852%) as of September 30, 2008 (4.5613% - 3.9852% = 0.5761%).

	Execution Date	Notional Amount	Termination Date	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
3	5/12/00	\$275,297,755 amortizing in step with the Bonds commencing 10/1/00.	10/1/22	Subordinate SOB Series 1997A, B & C	SIFMA divided by 0.604	Libor plus a constant of 1.65343%	Baa1, A, Rating Withdrawn <sup>(1)</sup>	(\$833,019)
4	7/21/04	\$127,449,502 amortizing in step with the Bonds commencing 10/1/04.	10/1/22	Subordinate SOB Series 1997A, B & C	SIFMA divided by 0.604	Libor plus a constant of 1.7700%	Baa1, A, Rating Withdrawn <sup>(1)</sup>	\$150,661

(1) The Counterparty is not rated by the rating agencies and was backed by an “AAA” guarantor at the time the swap was entered. The swap’s rating is based on the rating of the guarantor. The guarantor was downgraded from “Aaa” to “Aa3” on 6/19/08 and then on 11/5/08 the guarantor was further downgraded to “Baa1” by Moodys, from “AAA” to “AA” on 6/5/08 and then on 11/19/08 the guarantor was further downgraded to “A” by S&P and had its “AAA” rating withdrawn on 6/26/08 by Fitch.

Using rates as of September 30, 2008, debt service requirements of the fixed-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows. <sup>(1)</sup> As rates vary, fixed-rate bond interest payments remain the same and net swap payments may vary.

Fiscal Year Ending 09/30	Variable Rate Bonds		Interest Rate Swap Net Receipts		
	Principal	Interest <sup>(2)</sup>	Swap 1 <sup>(3)</sup>	Swap 2 <sup>(4)</sup>	Total
2009	\$222	\$6,001	\$1,586	\$883	\$3,754
2010	209	6,014	1,585	937	3,701
2011	745	6,543	1,583	974	4,731
2012	965	6,863	1,579	1,006	5,243
2013	1,152	7,206	1,573	1,038	5,747
2014 - 2018	28,385	75,278	7,516	5,771	90,376
2019 - 2023	33,456	113,778	5,403	5,372	136,459
2024 - 2028	37,241	166,333	0	0	203,574
2029 - 2034	47,271	288,654	0	0	335,925
2035 - 2036	<u>125,651</u>	<u>83,400</u>	<u>0</u>	<u>0</u>	<u>209,051</u>
Total	<u>\$275,297</u>	<u>\$760,070</u>	<u>\$20,825</u>	<u>\$15,981</u>	<u>\$998,561</u>

(1) In thousands.

(2) Interest rate on the Bonds is the actual fixed rate on the Bonds.

(3) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County (2.79130% + 1.6534% = 4.4447%) and the tax-exempt variable rate paid by County to the Counterparty (2.40707%/0.604 = 3.9852%) as of September 30, 2008 (4.4447% - 3.9852%= 0.4595%).

(4) The rate is calculated as the difference between the taxable variable rate paid by the Counterparty to the County (2.79130% + 1.7700% = 4.5613%) and the tax-exempt variable rate paid by County to the Counterparty (2.40707%/0.604 = 3.9852%) as of September 30, 2008 (4.5613% - 3.9852%= 0.5761%).

Special Obligation Bonds (Capital Asset Acquisition Floating Rate (CPI-MUNI))

**Objective**

To lower the County's overall cost of borrowing.

	Execution Date	Notional Amount	Termination Date	Associated Bonds	County Payment	Counter-party Payment	Counter-party Credit Rating	Fair Value at 9/30/08
1	4/16/04 – Effective 4/27/04	\$50,000,000 amortizing in step with the Bonds commencing 4/1/05.	4/1/14	SOB Series 2004A Capital Asset Acquisition (MUNI-CPI)	SIFMA plus 0.235%	CPI plus premium <sup>(1)</sup>	Aaa, AA, AA	\$36,504

<sup>(1)</sup> The premium on the \$15 million, 4/1/09 maturity is 0.20%; on the \$10 million, 4/1/12 maturity is 0.50% and on the \$25 million, 4/1/14 maturity is 0.70%

Using rates as of September 30, 2008, debt service requirements of the variable-rate debt and net swap payments, assuming current interest rates remain the same for their term, were as follows <sup>(1)</sup>. As rates vary, variable-rate bond interest payments will vary and net swap payments may vary.

Fiscal Year Ending 09/30	Variable Rate Bonds		Interest Rate Swap	Total
	Principal	Interest <sup>(2)</sup>	Net Receipts <sup>(3)</sup>	
2009	\$15,000	\$4,464	\$3,148	\$22,612
2010	0	3,125	2,204	5,329
2011	10,000	3,125	2,204	15,329
2012	0	2,232	1,574	3,806
2013	0	2,232	1,574	3,806
2014	<u>25,000</u>	<u>2,232</u>	<u>1,574</u>	<u>28,806</u>
Total	<u>\$50,000</u>	<u>\$17,410</u>	<u>\$12,278</u>	<u>\$79,688</u>

<sup>(1)</sup> In thousands.

<sup>(2)</sup> Interest rate on the Bonds is the CPI Index plus 20 basis points of interest (bpi) on the Bonds maturing on 4/1/09, 50 bpi on the bonds maturing on 4/1/11 and 70 bpi on the Bonds maturing on 4/1/14.

<sup>(3)</sup> The rate is calculated as the difference between the variable rate (CPI plus premium) paid by the Counterparty to the County (8.418% + 0.51% = 8.928%) and the variable rate (SIFMA) plus premium paid by County to the Counterparty (2.397% + 0.235% = 2.6320%) as of September 30, 2008 (8.928% - 2.6320% = 6.296%).

**Risk Disclosure:**

**Credit Risk.** The maximum amount of potential credit risk loss is \$65.0 million. (On November 19, 2008 the County terminated the \$295,240,000 swap which had a termination value included in credit risk loss of \$53 million; after November 19, 2008, the credit risk loss dropped to \$13 million.). Because all of the County's swaps rely upon the performance of the third parties who serve as swap counterparties, the County is exposed to credit risk, or the risk that the counterparty fails to perform according to its contractual obligations. The appropriate measurement of this risk at the reporting date is the fair value of the swaps, as shown in the columns labeled Fair Value in the tables above. All Fair Values have been calculated using the Zero Coupon Method. To mitigate credit risk, the County maintains strict credit standards for swap counterparties. As of September 30, 2008, all swap counterparties for longer term swaps were rated at least in the double-A category by both Moody's and Standard & Poor's. To further mitigate credit risk, the County's swap documents require counterparties to post collateral for the County's benefit if they are downgraded below a designated threshold. Since September 30, 2008, AMBAC, the guarantor for five of the County's swaps, has been downgraded. The County is in the process of requiring the counterparty to replace AMBAC with a double-A category rate successor guarantor or post collateral satisfactory to the County, and if unable or unwilling to do either of these two options, the County would replace the counterparty.

**Basis Risk.** Many of the County's swaps expose the County to basis risk. Should the relationship between the variable rate the County receives on the swap fall short of the variable rate on the associated bonds, the expected savings may not be realized. As of September 30, 2008, the SIFMA rate was 2.40707% and the LIBOR rate was 2.90782%.

**Termination Risk.** The County's swap agreements do not contain any out-of-the-ordinary termination events that would expose it to significant termination risk. In keeping with market standards the County or the counterparty may terminate each swap if the other party fails to perform under the terms of the contract. In addition, the swap documents allow either party to terminate in the event of a significant loss of creditworthiness. If at the time of the termination, a swap has a negative value, the County would be liable to the counterparty for a payment equal to the fair value of such swap unless the counterparty is the defaulting party.

**Rollover Risk.** With the exception of the swaps on the Special Obligation Bonds and the Subordinate Special Obligation Bonds, the County is not exposed to rollover risk. Because the swaps for the Special Obligation Bonds and the Subordinate Special Obligation Bonds terminate prior to the maturity of such bonds, the County is exposed to rollover risk. Upon the termination of the swap, the County will no longer realize the synthetic rate on the bonds and will be exposed to the full fixed rate on the underlying bonds if no new swap is put in place.

**Contingent Liability / Loan Guarantee**

The County's General Fund is contingently liable for the payment of certain obligations from available non ad valorem taxes, and has pledged to budget and appropriate annually for the debt service payments in the event revenues from the benefiting enterprise operations are not sufficient to meet the debt service requirements. These instances are delineated below.

<b>Series</b>	<b>Department</b>	<b>Original Amount</b>	<b>Principal Outstanding at 9/30/2008</b>	<b>Final Maturity</b>
Sunshine State Governmental Financing Commission, Series 1986 Program	Seaport	\$50,000,000	\$34,745,000	June 30, 2016
Sunshine State Governmental Financing Commission, Series 1986 Program	Parks	\$2,000,000	\$1,147,937	October 1, 2014
Sunshine State Governmental Financing Commission, Series 1986 Program, Issued 2004	Naranja Lakes CRA	\$5,000,000	\$5,000,000	July 1, 2016
Sunshine State Governmental Financing Commission, Series 1986 Program, Issued 2006	Naranja Lakes CRA	\$5,000,000	\$4,000,000	July 1, 2016
Sunshine State Governmental Financing Commission, Series 2005	Seaport	\$75,000,000	\$75,000,000	September 1, 2035
Sunshine State Governmental Financing Commission, Series 2006	Seaport	\$232,060,000	\$232,060,000	September 30, 2032
Sunshine State Governmental Financing Commission, Series 2008	Various	\$223,578,000	\$205,918,000	September 1, 2026
Industrial Development Revenue Bonds-BAC Funding Project Series 2000A and 2000B	Various	\$21,775,000	\$18,980,000	October 1, 2030

Miami-Dade County entered into a lease agreement whereby BAC is the developer of an office-building complex pursuant to an installment sales agreement. Miami-Dade County will lease the entire building and the lease payments are pledged to the bondholders. Additionally, the County has unconditionally guaranteed to budget and appropriate any shortfalls in pledged revenues from non ad valorem taxes.

**Debt Authorized, but Unissued**

As of September 30, 2008, the County has authorized but not issued the following:

- a) \$1,280,000 of general obligation bonds for general public improvements;
- b) \$247,500,000 of general obligation bonds for capital improvements for County airports to be paid by Aviation net revenues, if issued;
- c) \$156,300,000 Equipment Floating/Fixed Rates Special Obligation Bond to finance cost of capital equipment for various County departments;
- d) \$35,700,000 Equipment Floating/Fixed Rate Special Obligation Bonds;
- e) \$131,474,000 of general obligation bonds for capital improvements to the County's water and sewer system, to be paid by Water and Sewer net revenues, if issued;
- f) \$2,301,608 Professional Sports Franchise Facilities Tax Revenue Bonds;
- g) \$158,485,000 Aviation Revenue Bonds for improvements to airport facilities (the "1997 Authorization");
- h) \$329,705,55 Aviation Bond Anticipation Notes to pay costs for improvements to airport facilities;
- i) \$15,985,000 Water and Sewer System Revenue Bonds to finance the cost of capital improvements to the water and sewer systems of the County;
- j) \$50,000,000 Solid Waste System Bond Anticipation Notes to pay the costs of improvements to, and new capital project for, the Solid Waste System of the County;
- k) \$49,605,000 Solid Waste System Revenue Bonds to pay the outstanding Solid Waste System Bond Anticipation Notes and any additional improvements to, and new capital project for, the Solid Waste System of the County;
- l) \$18,880,000 Capital Acquisition Special Obligation Bonds;
- m) \$29,545,000 Special Obligation Bonds (Juvenile Courthouse Project) to fund the acquisition, construction and equipping of the Juvenile Courthouse Project;
- n) \$6,000,000 Special Obligation Bonds (Correction Facility Project) to fund a portion of the cost of acquisition, construction and equipping of a new holding facility;
- o) \$77,275,000 Special Obligation Bonds (Capital Asset Acquisition) to fund the acquisition, renovation, improvement, construction or purchase of capital assets;
- p) \$16,493,417 Solid Waste System Revenue Bonds to pay the cost of improvements to, and new capital projects for, the County's Solid Waste System;
- q) \$25,687,752 Special Obligation Bonds (Convention Development Tax) to pay the cost of various visitor related capital facilities;
- r) \$2,576,150,000 General Obligation Bonds to fund the projects under the "Building Better Communities" Bond Program;
- s) \$39,000,000 Transit System Sales Surtax Bonds to fund the projects of the People's Transportation Plan;
- t) \$4,215,000 Special Obligation Bonds to fund UMSA Public Improvements; and
- u) \$197,280,000 Special Obligation Bonds (Capital Acquisition) to acquire, construct, improve or renovate certain capital assets.

## **Note 9 - Pension Plans and Other Postemployment Benefits**

### **Florida Retirement System**

The County participates in the Florida Retirement System (the "System"), a cost-sharing, multiple-employer, public employee retirement plan, which covers substantially all of its full-time and part-time employees. The System was created in 1970 by consolidating several employee retirement systems. All eligible employees (as defined by the State) who were hired after 1970 and those employed prior to 1970 who elect to be enrolled, are covered by the System. Benefits under the plan vest after six years of service. Benefit provisions are established under Chapter 121, Florida Statutes, which may be amended by the Florida Legislature.

The System is a defined benefit plan, qualified under section 401(a) of the Internal Revenue Code, with defined contribution options. Under the defined benefit option, employees who retire at or after age 62 with six years of credited service (vesting period), are entitled to an annual retirement benefit payable monthly for life. The System also provides for early retirement at reduced benefits and death and disability benefits. These benefit provisions and all other requirements are established by State statute.

The Florida Legislature created a new defined contribution program that was added to the menu of choices available to FRS members beginning in June 2002. Formally created as the Public Employee Optional Retirement Program (PEORP), the FRS Investment Plan is available as an option for all current and future FRS members, including renewed members (FRS retirees who have returned to FRS employment). The FRS Investment Plan is a defined contribution plan where the contribution amount is fixed by a set percentage determined by law and the contribution is made to an individual account in each participant's name. With a defined contribution plan, in which the monthly contribution rate is fixed, the final benefit will be the total account value (contributions plus investment earnings less expenses and losses) distributed during retirement.

#### **Summary of Florida Retirement System ("FRS") Contributions, Covered Payroll and Percentage of Covered Payroll for the County (in thousands)**

	<b>2008</b>	<b>2007</b>	<b>2006</b>
Covered Payroll	\$ 2,145,709	\$ 2,099,613	\$ 2,016,853
Contributions	\$ 281,048	\$ 272,101	\$ 227,044
% of Covered Payroll	13.1%	13.0%	11.3%

The FRS funding policy provides for monthly employer contributions at actuarially determined rates that, expressed as percentages of annual covered payroll, are adequate to accumulate sufficient assets to pay benefits when due based upon plan assumptions. Employer contributions rates are established by state law as a level percentage of payroll (Chapter 121.70 Florida Statutes). Employer contribution rates are determined using the entry-age actuarial cost method. The consulting actuary recommends rates based on the annual valuation, but actual contribution rates are established by the Florida Legislature. Pension costs for the County ranged from 9.85% to 20.92% of gross salaries for fiscal year 2008. For the fiscal years ended September 30, 2008, 2007 and 2006, the County contributed 100% of the required contributions.

A copy of the System's annual report for the year ended June 30, 2008 can be obtained by writing to the Division of Retirement, Research and Education Section, P.O. Box 9000, Tallahassee, FL 32315-9000, by calling toll-free (877) 377-1737, or by visiting their website at <http://FRS.myFlorida.com>.

## Public Health Trust of Miami-Dade County, Florida, Defined Benefit Retirement Plan

The Public Health Trust of Miami-Dade County, Florida, Defined Benefit Retirement Plan (the Plan) was created in 1996. The Plan is a single-employer, defined benefit pension plan and is an employee-noncontributory plan administered by the Public Health Trust (PHT). The Plan does not issue stand-alone financial statements. This report includes a Statement of Fiduciary Net Assets and a Statement of Changes in Fiduciary Net Assets for the Plan for the year ended September 30, 2008.

All PHT employees working in a full-time or part-time regularly established position who were hired after January 1, 1996 are covered by the Plan. Benefits under the Plan vest after six years of service. Employees who retire at or after age 62 with six years credited service are entitled to an annual retirement benefit payable monthly for life. The Plan also provides for early retirement at reduced benefits, and death and disability benefits. These benefit provisions and all other requirements are set forth in the Plan document. Benefits increase by approximately 2.5% per year for cost of living adjustments. The Board of Trustees of the PHT (the Board) reserves the right to modify, alter or amend the Plan subject to certain limitations.

Membership of the Plan consisted of the following at January 1, 2008, the date of the latest actuarial valuation:

Retirees and beneficiaries currently receiving benefits	72
Terminated plan members entitled to but not yet receiving benefits	628
Active plan members	<u>6,637</u>
Total	<u>7,337</u>
 Number of participating employers	 1

The contribution rate for normal cost is determined using the aggregate actuarial cost method. Under this method, the excess of the present value of projected benefits over the actuarial value of assets is spread evenly over the expected future salaries of the active participants presently under Normal Retirement Age. This method does not identify or separately amortize unfunded actuarial liabilities. Gains and losses resulting from fluctuations in Plan experience are similarly amortized as part of normal cost. The significant assumptions used to compute the annual required contribution include an 8% rate of return on investment, projected salary increase of 7% in the first 10 years of service and 6% after 10 years of service. The rate of return on investments and the projected salary increase rate include projected inflation of 2.5%.

The PHT's funding policy provides for actuarially determined rates deemed sufficient to pay benefits as due. The assumptions used to compute the contribution requirement are the same as those used to compute pension benefits earned. The PHT's funding policy is to make contributions based on a percentage of payroll.

Contributions to the Plan for the fiscal year ended September 30, 2008, 2007 and 2006 were approximately \$38,068,000, \$33,432,000, and \$26,169,000, respectively. The PHT's most recent actuarial report as of January 1, 2008 determined the annual pension cost to be approximately \$42,996,000, \$24,137,000 and \$31,379,000 which represent 8.62%, 8.79% and 8.84% of payroll for the Plan years ended December 31, 2009, 2008, and 2007, respectively. The PHT has contributed 100% of the annual cost for all of the years.

**Deposits and Investments**

The Plan's investment authority is derived from the authorization of the Board and is in accordance with the Florida Statute 215.47 (the Statute) and the Employment Retirement Income Security Act of 1974 (ERISA).

The following is a summary of the fair value (based on quoted market prices) of assets held in the pension trust fund at September 30, 2008: (in thousands)

Cash and short-term investments	\$ 21,458
Investments, at fair value	
Domestic investments:	
Equities	88,129
Corporate debt securities	34,362
Government and agency obligations	<u>38,906</u>
Total domestic investments	<u>161,397</u>
International investments:	
Mutual funds	30,787
Equities	5,185
Corporate debt securities	<u>1,869</u>
Total international investments	<u>37,841</u>
Total	<u>\$ 220,696</u>

**Custodial Credit Risk**

GASB 40 requires governments to disclose deposits and investments exposed to custodial credit risk. The custodial credit risk for investments is the risk that, in the event of the failure of the counter-party to a transaction, a government may not be able to recover the value of investment or collateral securities that are in the possession of an outside party.

As of September 30, 2008, the Plan's investment portfolio was held with a single third-party custodian.

**Credit Risk**

The Plan's investment policy (the Investment Policy) is designed to minimize credit risk by restricting authorized investments to only those investments permitted by the Statute, subject to certain additional limitations. These additional limitations consist of prohibitions against investments in derivative securities, options, futures or short positions; however the Investment Policy allows for investments in mortgage pass-through securities. Generally, the Statute permits investments in the Florida State Board of Administration Pooled Investment account (the SBA Pool), U.S. Government and agency securities, common and preferred stock of domestic and foreign corporations, repurchase agreements, commercial paper and other corporate obligations, bankers acceptances, state or local government taxable or tax exempt debt, real estate and real estate securities, and money market funds. With the exception of obligations directly issued or guaranteed by the U.S. Government, investments in the SBA Pool, and certain state and local government debt instruments, the Statute provides limits as to the maximum portion of the Plan's portfolio which can be invested in any one investment category or issuer.

At September 30, 2008, the Plan's investment securities had the following credit ratings: (in thousands)

	Fair Market Value	Credit Rating	
Money market accounts	\$ 21,458	Not rated	
Domestic investments:			
U.S. Government agency securities, by issuer			
Federal Home Loan Mortgage Corporation	30,502	AAA	*
U.S. Treasury notes	8,404	AAA	*
Equities - common stock	87,686	Not rated	
Collateralized mortgage obligations	443	AAA	*
Corporate debt securities:			
Corporate bonds	454	BBB+	*
Corporate bonds	4,360	A1-A3	**
Corporate bonds	2,878	A/A+/A-	*
Corporate bonds	906	AA/AA-	*
Corporate bonds	207	AAA	*
Corporate bonds	2,926	Aa1-Aa3/Aaa	**
Corporate bonds	428	B1-B3	**
Corporate bonds	262	BB+-BB	*
Corporate bonds	2,833	BBB/BBB+/BBB-	*
Corporate bonds	363	Ba2-Ba3	**
Corporate bonds	5,521	Baa1-Baa3	**
Corporate bonds	11,554	Not rated	
Convertible bonds:			
Convertible bonds - Victory	830	A1-Aa3	**
Convertible bonds - Victory	450	BB+-BB	*
Convertible bonds - Victory	463	BBB/BBB+/BBB-	*
Convertible bonds - Victory	382	Not rated	
International investments:			
Equities	35,971	Not rated	
Corporate debt securities:			**
International Bonds	129	A+	
International Bonds	288	A1-A3	
International Bonds	132	B2	
International Bonds	866	Baa1-Baa3	
<b>Total</b>	<b>\$ 220,696</b>		

\* Standards & Poor's ratings

\*\* Moody's Investor Services ratings

### Concentration of Credit Risk

The Investment Policy establishes limitations on portfolio composition by investment type and by issuer to limit its exposure to concentration of credit risk. The Investment Policy provides that a maximum of 25% be invested in bonds, notes, or obligations of any municipality or political subdivision or any agency or authority of the State of Florida; a maximum of 80% be invested in common stock, preferred stock, and interest-bearing obligations of a corporation having an option to convert into common stock; a maximum of 75% be invested in internally managed common stock; a maximum of 80% be invested in interest-bearing obligations with a fixed maturity of any corporation or commercial entity within the United States; a maximum of 20% be invested in corporate obligations and securities of any kind of a foreign corporation or a foreign commercial entity having its principal office located in any country other than the United

States of America or its possessions or territories, not including United States dollar-denominated securities listed and traded on a United States exchange; a maximum of 5% be invested in private equity through participation in limited partnerships and limited liability companies.

At September 30, 2008, the composition of the Plan's investments by investment type as a percentage of total investments was as follows:

	<b>Percentage of Portfolio</b>
Cash and short-term investments	9.7%
Domestic investments:	
Equities	39.9%
Corporate debt securities	15.6%
Government and agency obligations	17.6%
International investments:	
Mutual funds	13.9%
Equities	2.3%
Corporate debt securities	0.8%

The following represents individual investments whose fair value (based on quoted market prices) exceeded 5% of the Plan's net assets at September 30, 2008 (in thousands):

Julius Baer International Equity Fund – Class I	\$ 14,713
Brandes/ING	16,073
MFO PIMCO/FDS PAC Invt. Mgmt.	<u>11,552</u>
Total	<u><u>\$ 42,338</u></u>

### **Interest Rate Risk**

The Plan manages its exposure to rising interest rate risk in fair value by forecasting cash outflows and inflows. To the extent possible, an attempt will be made to match investment maturities with known cash needs and anticipated cash flow requirements. As of September 30, 2008 the Plan had the following investments with the respective weighted average maturity in years.

	<b>Weighted Average Maturity</b>
Cash and short-term investments	N/A
Domestic investments:	
Equities	N/A
Corporate debt securities	
Corporate bonds	13.97
Corporate bond mutual funds	N/A
Government and agency obligations	
Federal Home Loan Bank	7.74
Federal National Mortgage Association	24.55
Federal Home Loan Mortgage Corporation	21.69
U.S. Treasury bills	6.30
International investments:	
Mutual funds	N/A
Equities	N/A
Corporate debt securities	16.31

### Foreign Currency Risk

GASB 40 requires governments to disclose deposits or investments exposed to foreign currency risk, the risk that changes in exchange rates will adversely affect the fair value of an investment or a deposit. The Plan's exposure to foreign currency risk at September 30, 2008 was as follows: (in thousands)

	<b>Currency</b>	<b>Fair Market Value (in U.S. dollars)</b>
International equities:		
Common stock	Canadian Dollars	\$ 2,332
Common stock	Swiss Franc	318
Common stock	Japanese Yen	154
Common stock	British Pounds	731
Common stock	Chinese Yuan Renminbi	1,198
Common stock	Indian Rupee	85
Common stock	Russian Rouble	367
		<u>\$ 5,185</u>
International corporate debt securities:		
Corporate bonds	Canadian Dollars	\$ 314
Corporate bonds	Euros	309
Corporate bonds	Israeli New Shekel	188
Corporate bonds	Caymanian Dollar	266
Corporate bonds	Brazillian Real	223
Corporate bonds	British Pounds	569
		<u>\$ 1,869</u>

In addition, at September 30, 2008, the Plan's investments include approximately \$38,786,000 in mutual funds which principally invest in international stocks and other international securities. Although these mutual funds are United States dollar-denominated and United States exchange-traded, the underlying investments expose the Plan to an additional degree of foreign currency risk.

## Postemployment Benefits Other Than Pensions

**Plan Description.** Miami-Dade County (“the County”) administers a single-employer defined benefit healthcare plan (“the Plan”) that provides postretirement medical and dental coverage to retirees as well as their eligible spouses and dependents. Benefits are provided through the County’s group health insurance plan, which covers both active and retired members. Benefits are established and may be amended by the Miami-Dade County Board of County Commissioners (“the BCC”), whose powers derive from F.S. 125.01(3)(a). The Plan does not issue a publicly available financial report.

*Eligibility:* To be eligible to receive retiree medical and dental benefits, participants must be eligible for retirement benefits under the Florida Retirement System (FRS) or the Public Health Trust of Miami-Dade County, Florida, Defined Benefit Retirement Plan and pay required contributions.

- Regular Class (All employees not identified as members of the Special Risk Class)
  - Eligibility for Unreduced Pension Benefits under FRS
    - Age 62 with 6 years of service
    - 30 years of service (no age requirement)
- Special Risk Class (Police Officers, Firefighters and Corrections Officers)
  - Eligibility for Unreduced Pension Benefits under FRS
    - Age 55 with 6 years of special risk service
    - 25 years of special risk service (no age requirement)
    - Age 52 and 25 years of creditable service, including special risk service and up to maximum of 4 years of active duty wartime military service credit,
    - Regular Class criteria
  - Eligibility for Reduced Pension Benefits under FRS
    - 6 years of service (no age requirement)

*Benefits:* The medical plans offered provide hospital, medical and pharmacy coverage. Pre-65 retirees are able to select from five medical plans as follows.

- AvMed POS
- AvMed HMO High Option
- AvMed HMO Low Option
- JMH HMO High Option
- JMH HMO Low Option

Post-65 retirees are able to select from five medical plans as follows. The County only contributes to post-65 retirees electing an AvMed Medicare Supplement Plan.

- AvMed Medicare Supplement Low Option
- AvMed Medicare Supplement High Option with RX
- AvMed Medicare Supplement High Option without RX
- JMH HMO High Option
- JMH HMO Low Option

**Number of Covered Participants:**

Actives	37,121
Retirees under age 65	1,640
Eligible spouses under age 65	808
Retirees age 65 and over	1,873
Eligible spouses age 65 and over	379
Total	<u>41,821</u>

**Funding Policy.** The County contributes to both the pre-65 and post-65 retiree medical coverage. Retirees pay the full cost of dental coverage. Medical contributions vary based on plan and tier. For pre-65 retirees, the County explicitly contributed an average of 21% of the cost for the AvMed POS plan, 41% for the AvMed HMO High and AvMed HMO Low plans in fiscal year 2008. The JMH HMO plans receive no explicit contribution. However, it is the County's policy that after fiscal year 2008 its per capita contribution for retiree health care benefits will remain at the 2008 dollar level.

The pre-65 retirees also receive an implicit subsidy from the County since they are underwritten with the active employees. The implicit contribution is approximately 5% of the cost. The pre-65 cost is approximately 57% greater than the combined pre-65 and active cost. The post-65 retiree contributions also vary by plan and tier with the County contributing an average of 28% of the entire plan cost.

For fiscal year 2008, the County contributed \$11,344,000 to the plan.

The postretirement medical and dental benefits are currently funded on a pay-as-you go basis (i.e., Miami-Dade County funds on a cash basis as benefits are paid). No assets have been segregated and restricted to provide postretirement benefits.

**Annual OPEB Cost and Net OPEB Obligation.** The County's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the *annual required contribution of the employer (ARC)*, an amount actuarially determined in accordance with the parameters of GASB Statement 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and to amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years.

The County's annual OPEB cost for the fiscal year 2008, the first year of implementation of GASB Statement 45, and the related information for each plan are as follows (dollar amounts in thousands):

Annual required contribution	\$ 26,997
Interest on net OPEB obligation	-
Adjustment to annual required contribution	-
Annual OPEB cost	<u>26,997</u>
Contributions made	<u>11,344</u>
Increase in net OPEB obligation	15,653
Net OPEB obligation—beginning of year	-
Net OPEB obligation—end of year	<u>\$ 15,653</u>

The County's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for fiscal year 2008 were as follows (dollar amounts in thousands):

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
09/30/2008	\$ 26,997	42.0%	\$15,653

**Funded Status and Funding Progress.** The schedule below shows the balance of the actuarial accrued liability (AAL), all of which was unfunded as of September 30, 2008 (dollar amounts in thousands).

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Estimated Covered Payroll (c)	UAAL as % of Covered Payroll ([b-a]/c)
10/1/2007	\$0	\$284,024	\$284,024	0%	\$2,048,371	14%

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events in the future. Amounts determined regarding the funded status of the plan and the annual required contributions by the County are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. The required schedule of funding progress presented as required supplementary information provides multi-year trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

**Actuarial Methods and Assumptions.** Projections of benefits are based on the substantive plan (the Plan as understood by the employer and plan members) and include the types of benefits in force at the valuation date and the pattern of sharing benefit costs between the County and the plan members to that point. Actuarial calculations reflect a long-term perspective and employ methods and assumptions that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

The actuarial cost method used in the valuation to determine the Actuarial Accrued Liability (AAL) and the Actuarial Required Contribution (ARC) was the Projected Unit Credit Method with service prorated. Under this method, the total present value of benefits is determined by projecting the benefit to be paid after the expected retirement date (or other event) and discounting those amounts to the valuation date. The normal cost is computed by dividing the total present value of benefits by the participant's total service (actual plus expected service) at retirement. The AAL under this method represents the total present value of benefits multiplied by the ratio of the participant's actual service to date and divided by expected service at retirement. The AAL for participants currently receiving payments and deferred vested participants is calculated as the actuarial present value of future benefits expected to be paid. No normal cost for these participants is payable. The AAL and normal cost were calculated at the measurement date, which is the beginning of the applicable fiscal year using standard actuarial techniques.

The following summarizes other significant methods and assumptions used in valuing the AAL and benefits under the plan.

Actuarial valuation date	01/01/2006
Amortization method	Level percentage of payroll, closed
Remaining amortization period	30 years
Actuarial assumptions:	
Discount rate	4.75%
Payroll growth assumption	3.00%
Health care cost trend rates	10% initial to 5.25% ultimate
Mortality table	RP 2000

Further, the valuation assumes that the County will continue to fund the liability on a pay-as-you-go basis and that the County's policy is that its per-capita contribution for retiree benefits will remain as the 2008 level. As a result, the retiree contributions will be increased to the extent necessary so that they are sufficient to provide for the difference between the gross costs and the fixed County contributions.

The Actuarial Accrued Liability (AAL) for Other Postemployment Benefits, Annual Required Contribution (ARC) and contributions made during Fiscal Year 2008 were allocated as follows:

	AAL	ARC	Contribution	OPEB liability @ 9/30/08
General Government	\$ 161,472	\$ 14,973	\$ 5,079	\$ 9,894
Miami-Dade Public Housing Agency	4,572	424	150	274
Solid Waste Department	8,347	774	273	501
Aviation Department	11,323	1,050	371	679
Seaport Department	3,580	332	117	215
Miami-Dade Transit Agency	31,188	2,892	1,022	1,870
Water and Sewer Department	21,849	2,026	928	1,098
Public Health Trust	41,693	4,526	3,404	1,122
Total	<u>\$ 284,024</u>	<u>\$ 26,997</u>	<u>\$ 11,344</u>	<u>\$ 15,653</u>

## **Note 10 - Contingencies and Commitments**

### ***North Terminal Development Program (NTD)***

In 1989, the Aviation Department agreed to allow a major carrier (collectively, the parties) to create an international passenger hub at MIA. The North Terminal Development Project (NTD or the Project) evolved out of this plan and commitment to improve the level and quality of services to passengers. The carrier worked with the Aviation Department to develop the concept plan for NTD and in October 1995, the parties entered into a Lease, Construction and Financing Agreement (the LCF Agreement), which authorized the carrier to design and construct the Project.

The LCF Agreement was approved by the Board in 1995 and provided for costs up to \$974.9 million. In July 1999, the parties agreed to the First Amendment which increased the scope of work and the costs to \$1.3 billion. In January 2002, the parties agreed to the Second Amendment which eliminated the 250 flights per day requirement in the LCF Agreement. In April 2002, the parties entered into the Third Amendment which increased the costs to \$1.5 billion.

Due to the complexity of the project, coordination and construction problems, along with insufficient project management and controls, the project encountered substantial delays and significant cost overruns resulting in a series of unprocessed and unpaid claims from subcontractors and suppliers related to change orders and cost overruns. As a result of the aforementioned delays and issues, the Aviation Department assumed responsibility for the management and completion of the Project with the assistance of consultants.

A Fourth Amendment was entered into between the parties, which was approved by the Board on June 21, 2005. The Fourth Amendment primarily terminated the carrier's management of the Project and attempted to resolve the unprocessed and unpaid claims. Under the Fourth Amendment, the carrier has agreed to contribute to the Project \$105 million, payable in installments over a period of ten years beginning in fiscal year 2005. The contribution shall be maintained in a claims reserve fund to pay such claims. Once all claims have been settled, any excess funds available are retained by the Aviation Department to be applied to construction of the Project. Payments in the amount of \$10 million were received in fiscal years 2008 and 2007, respectively. They were recognized as other revenue in the statement of revenues, expenses, and change in net assets of the Aviation Department. The Aviation Department's best estimate is an allowance for uncollectible amounts equal to 100% of the unpaid balance of \$55 million.

Although it is probable that the Aviation Department will have to pay claims associated with the NTD Project, the total amount to be paid or accrued cannot be reasonably estimated. As of September 30, 2008, \$62.5 million of claims had been paid and none had been accrued and included in accounts payable and accrued liabilities in the statements of net assets of the Aviation Department.

### ***Environmental Matters***

In August 1993, the Miami-Dade County Aviation Department ("MDAD" or "Aviation Department") and the Dade County Department of Environmental Resources Management (DERM) entered into a Consent Order. Under the Consent Order, the Aviation Department was required to correct environmental violations resulting from various tenants' failure to comply with their environmental obligations at the Airport including those facilities previously occupied by Eastern Airlines and Pan Am Airlines. In addition, the Aviation Department had a preliminary study performed by an independent engineering firm to estimate the cost to correct the environmental violations noted in the Consent Order. This study was used as a basis to record the environmental remediation liability as of September 30, 1993. In each subsequent year, the Aviation Department has received an updated study performed by MACTEC Engineering and Consulting (MACTEC), an independent engineering firm to further update the estimated costs to correct the environmental violations noted in the Consent Order based on additional information and further refinement of estimated costs to be incurred.

As a result of the updated study and costs incurred in fiscal year 2008, the total cumulative estimate to correct such violations was \$224.6 million. This estimate allows for uncertainties as to the nature and extent of environmental reparations and the methods, which must be employed for the remediation. The cumulative amount of environmental expenditures spent through September 30, 2008 approximated \$132.4 million. The Aviation Department has also spent \$55.5 million in other environmental related projects not part of any consent order.

During fiscal year 1998, a Consent Order ("FDEP Consent Order") was signed with the State of Florida Department of Environmental Protection ("FDEP"). The new FDEP Consent Order encompasses and replaces the DERM agreement and includes additional locations. The FDEP Consent Order includes all locations at the Miami International Airport (MIA) that are contaminated as well as additional sites where contamination is suspected. The Aviation Department included other sites where contamination is suspected in the FDEP Consent Order under a "Protective Filing". If contamination is documented at these sites, the State would be required to incur the costs of remediation. Because the State will be required to pay for remediation of sites filed in the Protective Filing and because the contamination at the sites is unknown, an accrual amount is not reflected in the Opinion of Cost report.

Currently, the County has several pending lawsuits in State Court against the Potentially Responsible Parties ("PRPs") and insurers to address recovery of past and future damages associated with the County's liability under the FDEP Consent Order. As of September 30, 2008, the Aviation Department has received approximately \$50.5 million from the State, insurance companies and PRP's.

The Aviation Department has recorded a liability of \$92.2 million at September 30, 2008, representing the unexpended environmental remediation costs based on the Opinion of Cost performed by MACTEC. Management has allocated a portion of bond proceeds to fund this obligation and believes that the remaining amount can be funded from recoveries and the operations of the Aviation Department. The liability recorded by the Aviation Department does not include an estimate of any environmental violations at the three general aviation airports or at the two training airports. Management is not aware of any such liabilities and the occurrence of any would not be material to the financial statements.

In addition to the studies conducted to determine the environmental damage to the sites occupied by Eastern and Pan Am, the Aviation Department caused studies to be performed to determine the amount required to remove or otherwise contain the asbestos in certain buildings occupied by the airlines. The Aviation Department has also estimated the amount required to remove or otherwise contain the asbestos in buildings other than those formerly occupied by Eastern and Pan Am. The studies estimate the cost to correct such damage related to all buildings were assessed at approximately \$4.5 million. The Aviation Department has no intention of correcting all assessed damage related to asbestos in the near future as they pose no imminent danger to the public. Specifics issues will be addressed when and if the department decides to renovate or demolish related buildings. At such time, the department will obligate itself to the clean-up or asbestos abatement. As emergencies or containment issues may arise from this condition, they will be isolated and handled on a case-by-case basis as repair and maintenance. Such amounts do not represent a liability of the Aviation Department until such time as a decision is made by the Aviation Department's management to make certain modifications to the buildings, which would require the Aviation Department to correct such matters. As such, no liability was recorded at September 30, 2008.

#### ***Settlement Agreement***

In 1993, the County entered into a settlement agreement with the Florida Department of Environmental Protection ("FDEP") resulting in very limited restrictions on new sewer construction in certain areas of the County until adequate capacity becomes available in the wastewater system. Subsequently, in 1994 and 1995, two consent decrees were entered into with the U.S. Environmental Protection Agency ("EPA") whereby the County accelerated its improvement program of the wastewater system, subject to a schedule of stipulated penalties if certain established completion dates are not met. The Department continues to be in compliance with all provisions and through fiscal year 2008 has not incurred any penalties for not completing tasks within deadlines.

On April 29, 2004, the Consent Order, OGC File No. 03-1376, was entered into between the State of Florida Department of Environment Protection and Miami-Dade County. It requires the County to provide high level disinfection for the effluent prior to injection. The total project cost of these improvements is approximately \$600 million and completion is anticipated in 2013.

On November 15, 2007, the South Florida Water Management District (the District) issued a consolidated 20-year Water Use Permit, which sets limits on the use of the Biscayne Aquifer and the Floridian Aquifer. In addition, the permit includes a schedule for the construction of the alternative water supply projects needed to meet demand. The plan developed by the Department and submitted to the District includes the use of the Biscayne Aquifer to meet current demands and also for future growth, but also provides that additional amounts will be offset by providing ground water replenishment with highly treated reclaimed water. The plan also includes the use of the Floridian Aquifer to be treated with reverse osmosis.

#### **Closure and Postclosure Care Costs**

Current laws and regulations require the County to place final covers on landfill cells as they are closed and perform certain maintenance and monitoring functions at the landfill cell sites for thirty years after closure. These laws and regulations also require the County, on an annual basis, to disclose the extent of its financial responsibility for the costs involved, which are referred to as "closure and postclosure care" costs. The County was in compliance with these requirements as of September 30, 2008.

At September 30, 2008, the County's total liability for landfill closure and postclosure care costs was approximately \$113.5 million. Of this amount, \$79.3 million relates to active landfills and approximately \$34.2 million relates to inactive landfills.

The County accounts for and discloses closure and postclosure care costs in accordance with GASB Statement No. 18 *Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care Costs* (the "Statement"). The Statement requires, among other matters: (1) that the liability for closure and postclosure care costs be estimated based on applicable federal, state or local regulations that were in existence as of the date of the statement of net assets, (2) that the cost estimates be reevaluated and adjusted on an annual basis for changes due to inflation or deflation, or for changes due to advancements in technology, (3) that a portion of these estimated closure and postclosure costs be recognized in each operating period that the landfill is active, based on the amount of waste received during the period, even though the majority of the costs will not be disbursed until the landfill cells are closed, and (4) that changes in the estimated costs for closure and postclosure care which occur after the landfill stops accepting waste be recognized entirely in the period of the change.

Expenses for closure and postclosure care are funded from bond proceeds, of which the principal and interest are subsequently repaid from Utility Service Fees assessed on all countywide water and wastewater users, in accordance with Chapter 24 of the Dade County Code (the "Code"). Under the Code, funds collected from this fee can be used for solid waste landfill closure and postclosure care costs that are the financial responsibility of the County, for environmental remediation at landfill sites, and for land acquired to protect groundwater.

**Active Landfills** - Active landfills consist of the North Dade Landfill, the South Dade Landfill, and the Resources Recovery Ashfill.

The liability balance of \$79.3 million as of September 30, 2008 represents an increase of approximately \$4.6 million when compared to the preceding year. This increase resulted from the combined effects of (1) amortization of approximately \$5 million in the current period to adjust the recorded liability to the amount required to be recognized based on the current estimates for closure and postclosure care costs and the use of approximately 86.5% of the existing landfill capacity, and (2) reductions of approximately \$422 thousand for amounts paid or due to vendors actually performing closure or postclosure work during the current period on closed "cells" of active landfills.

Unrecognized costs of approximately \$19.2 million as of September 30, 2008 will be recognized on a current basis as the existing estimated capacity of approximately 4.7 million tons at September 30, 2008 is used. This estimated capacity is expected to last until 2013 based on current waste flows.

**Inactive Landfills** - Inactive landfills consist of the Main Landfill at 58th Street, the Ojus Landfill, and the Old South Dade Landfill.

The liability balance of the inactive landfills as of September 30, 2008 is approximately \$34.2 million. When compared to the preceding year, the liability balance increased approximately \$200 thousand reflecting the offsetting effects of (1) expenses recognized in the current period of approximately \$2.8 million and (2) reductions of approximately \$2.6 million for amounts paid or due to vendors actually performing closure and postclosure work during the current period.

### **Construction Commitments**

As of September 30, 2008, the County's enterprise funds had contracts and commitments totaling \$2.885 billion, as follows:

- Miami-Dade Transit, \$90.9 million;
- Miami-Dade Water and Sewer Department, \$277.8 million;
- Public Health Trust, \$316.8 million;
- Aviation Department, \$2.1 billion;
- Solid Waste Department, \$1.7 million; and
- Miami-Dade Seaport Department, \$97.9 million.

The Reserve for Encumbrances at September 30, 2008, for the Capital Project Funds reflect construction commitments entered into by the County. The following table sets forth these commitments by program classification (in thousands):

Street and Safety Improvements	\$	64,805
Recreational Facilities and Cultural Improvements		37,251
Public Safety Facilities		3,909
Judicial and Correctional Facilities		3,430
Physical Environment		23,107
Health		7,299
General Governmental Facilities		23,966
Total	\$	163,767

### **Gantry Cranes Operating Agreement**

The Seaport's gantry crane operation had been maintained by a private company (the "Operating Company") under a restated and amended operating agreement dated November 1, 1988. During 1997, certain activities of the Operating Company came under investigation by local, state and federal authorities to determine whether user fees belonging to the County were spent by the Operating Company for improper or illegal purposes. In addition, County investigation indicates that shipping companies may not have been billed or were under billed for gantry crane services. This contract was terminated by the County on May 19, 1998.

During the term of the Restated and Amended Agreement, the County received approximately \$3.9 million (cumulatively) from the Operating Company for user fees in excess of the amounts retained. In addition, the County believes the Operating Company has an obligation to repay certain operating advances and ground lease rentals of approximately \$11.5 million that carried forward from the previous

agreement, plus accrued interest thereon. This obligation has not been reflected in the accompanying financial statements due to uncertainty of receipt. Such balances accrue simple interest at an annual rate of 7.8% and are reduced by excess usage fees paid by the Operating Company. The Seaport has received approximately \$500 thousand (cumulatively) from the Operating Company for excess usage fees. The County believes that collection of any amounts owed by the Operating Company pursuant to the Agreement is doubtful due to the negative net worth of the Operating Company.

The County has filed a claim against the Operating Company for breach of contract, breach of fiduciary duty, civil theft, and declaratory relief, among others. The County believes it has a claim against the Operating Company for recovery of improper expenditures. The full amount has not been determined. The County has concluded at this time that it is not possible to determine the amount, if any, that may be collectible from the Operating Company, if it is determined that amounts were spent improperly. Therefore, no amounts have been recorded in the accompanying financial statements.

The Operating Company has filed a counterclaim against the County alleging that Seaport officials required them to pay for expenses that were not related to gantry crane activities; therefore, creating deficits that could have been used to reduce amounts owed to the Seaport. Management does not believe this will have an adverse effect on the financial statements of the Seaport.

On May 19, 1998, pursuant to Resolutions R-456-98 and R-514-98, the County terminated the Agreement with the Operating Company and entered into an Interim Gantry Crane Management Agreement (the "Interim Agreement") with a company (the "Interim Operator") to take over the maintenance of the gantry cranes.

On June 6, 1999, the Board of County Commissioners adopted Resolution R-671-99 adopting in principle the Crane Maintenance Company Business Plan proposed by the Seaport and recommended by the County Manager. This plan provided for the creation of a not-for profit-company, Port of Miami Crane Management, Inc. ("Crane Management"), to replace the Interim Operator. On August 5, 2002, the County and Crane Management entered into an Agreement for maintenance and management of the container handling cranes and cargo handling equipment at the Port. The term of the Agreement is for a period of five years with a renewal option for another five years at the County's sole discretion. Crane Management became fully operational in October 2002 and took over the maintenance of the Port's gantry cranes. Crane Management is responsible to a board of directors appointed by the Board of County Commissioners, the County Manager, the Port Director, and Port users. Container crane user revenues and operating expenses for fiscal year 2008 totaled \$7.9 million and \$7.6 million, respectively.

#### ***Consent Order***

During fiscal year 2002, the Miami-Dade County Board of County Commissioners authorized the County Manager to execute a Consent Order between the State of Florida Department of Environmental Protection ("FDEP") and Miami-Dade County for settlement of Miami Harbor dredging permit violations committed by the Seaport's former dredging contractor. Accordingly, the Seaport recognized an expense and related liability for the fiscal year 2002 in the amount of \$2.5 million, which was the amount estimated to satisfy the Consent Order. As of September 30, 2008, \$3.1 million was the remaining balance. The County is pursuing potential reimbursement opportunities through the United States Corps of Engineers Miami Federal Harbor Project.

#### ***Building Lease/Terminal Usage Agreements***

The Seaport entered into an office building lease agreement (the "Agreement") with one of its cruise line customers (the "Lessee") to finance and construct an office building and related improvements (the "Building") at the Seaport. The Building was to be occupied and used by the Lessee. The Seaport would assume any financing, up to a maximum of \$16.6 million, enter into an agreement for the Lessee to finance the construction of the Building and would possess fee simple title to the Building. Under terms of the Agreement, the Lessee is to pay base rent of an amount per year equal to the debt service payments on the financing assumed by the Seaport.

The construction of the Building has been completed; however, the Seaport and the Lessee are currently in dispute over certain terms and conditions of the Agreement. As a result, the Seaport has neither assumed any financing which may have been entered into by the Lessee to finance the construction of the Building nor possesses fee simple title to the Building. Until the Seaport obtains title to the building and assumes any debt and any other uncertainties regarding the contract are resolved, the County has not included such asset and related liability, if any, in its financial statements.

#### ***Interlocal Agreement***

The County entered into an interlocal agreement (the "Interlocal Agreement") with the City of Miami Beach, Florida (the "City") in 1996 regarding the use and disposition of the two-thirds (2/3) portion of the Convention Development Tax (the "Tax"). The Tax is imposed by the County, pursuant to Section 212.0305(4)(b) of the Florida Statutes, on the leasing or letting of transient rental accommodations. Prior to this agreement, the Tax proceeds were collected by the County and remitted to the City of Miami Beach as security for the payment of debt service on any bonds secured by the Tax. The Interlocal Agreement provides that the tax proceeds be held by the County for projects permitted by State law and distributed after debt service is paid on the Miami-Dade County Special Obligation and Refunding Bonds Taxable Series 1996A and Series 1996B (the "1996 Senior Lien Bonds") and an annual operating subsidy payment of \$1.5 million (the "Operating Subsidy") is remitted to the City for the Miami Beach Convention Center Complex (the "Complex").

During fiscal year 1998, the County issued three series of bonds (the "1997 Subordinate Bonds") at one time. The 1997 Subordinate Bonds were comprised of the Subordinate Special Obligation Refunding Series 1997A, in the amount of \$86.6 million, Subordinate Special Obligation Bonds, Series 1997B, in the amount of \$170.0 million and Subordinate Special Obligation Bonds, Series 1997C in the amount of \$42.0 million. The 1997 bond proceeds were used to refund a portion of the 1996 Senior Lien Bonds, to provide additional funds for the construction of the performing arts center (the "Downtown PAC"), to renovate and construct other cultural facilities and to acquire real property for the construction of a new multi-purpose professional sports facility in the City of Miami (the "Arena Project"). The 1996 Senior Lien Bonds and the Operating Subsidy have a first lien on the Tax that is superior to the lien on the Tax in favor of the 1997 Subordinate Bonds.

In 2001, the City and the County amended the Interlocal Agreement to provide, among other matters, for an increase in the Operating Subsidy to \$3 million for April 1, 2002 and to \$4.5 million on each April 1 thereafter until the end of the term of the Agreement. It also provided that the County and the City would share in any Tax proceeds that exceed a certain growth factor for each year commencing in 2004. Moreover, the County agreed to fund \$15 million of capital improvements for the Complex from the next bond transaction in which the Tax is pledged and to pay an additional \$50 million in available tax proceeds to the City if the Tax is not pledged to a new baseball stadium by December 2003. The County Commission prior to the December 2003 deadline pledged the revenues for a new baseball stadium. The additional payments to the City agreed to in the amendment to the Interlocal Agreement are payable from Tax proceeds only and are subordinate to the lien on the Tax in favor of the 1996 Senior Bonds, the original \$1.5 million Operating Subsidy and the 1997 Subordinate Bonds.

#### ***Agreement with Florida Department of Transportation***

The Florida Department of Transportation (FDOT), in cooperation with the County, has borrowed \$433 million from the United States Department of Transportation (USDOT) under the Transportation Infrastructure Financing Innovation Act (TIFIA) loan program. Approximately \$269 million of the loan proceeds will be used to construct the Miami Intermodal Center and approximately \$164 million for a consolidated rental car facility (RCF) adjacent to the Airport. The \$164 million was to be used by FDOT to purchase the land needed for the RCF and then design and construct the facility. The portion of the loan relating to the RCF will be repaid through the collection of the Customer Facility Charges (CFCs) from car rental company customers at the Airport. The remainder of the loan will be repaid by the State. The repayment of the TIFIA loan is not secured by revenues or any other revenues of the Aviation

Department. On December 7, 1999 the County entered into a Memorandum of Understanding (MOU) with FDOT. The MOU provides that FDOT's portion of the TIFIA loan is \$269 million and that MDAD's portion of the TIFIA loan is approximately \$164 million. This funding of \$164 million is expressly for the purpose of paying FDOT for the cost of the land underlying the RCF and the construction of the RCF. MDAD has agreed to purchase from FDOT all land acquired by FDOT for use in connection with the RCF site as part of the capital cost for the RCF. As of September 30, 2008 the purchase by MDAD from FDOT has not taken place, the purchase cannot occur until FDOT completes the construction of the RCF. The negotiation and purchase of the land and the RCF are estimated to take place shortly after the RCF's current estimated completion date of December 2009. As such, as of September 30, 2008, MDAD has not recorded the loan payable in its accounting records.

On April 1, 2005, a security agreement was entered into among USDOT, FDOT, and the County regarding FDOT's loan agreement for the TIFIA loan in an amount up to \$170 million. Under the security agreement, the USDOT requires as a condition to loaning the TIFIA funds to FDOT that FDOT and the County pledge and assign to a fiscal agent a security interest in the Pledged Revenues, which includes the CFC's collected by MDAD and any contingent rent that is imposed by the County on participating car rental companies in the event CFCs are not sufficient to meet the debt service requirements. As to the nature of the payment by MDAD to FDOT, MDAD is under no obligation to expend its own funds for the purchase. All payments to FDOT for the purchase of the land and the RCF will come exclusively from a pool of funds made of Customer Facility Charge proceeds (as well as any contingent rents that are imposed on the rental car companies).

On July 19, 2007 the Board of County Commissioners approved the First Amendment to the Rental Car Concession Agreement and Facility Lease Agreement (the RCCA). The RCCA was one of the contractual documents all rental car companies desiring to participate in the RCF were required to sign. Resolution No. R-910-07 approving the First Amendment also accepted FDOT's new estimate of \$370 million for the design and construction costs of the RCF, and approved an increase in MDAD portion of the TIFIA loan from \$164 million to \$270 million, with the balance of the costs to be paid by the CFCs already collected from rental car company customers. The RCCA as amended confirmed that the debt service of the RCF portion of the TIFIA loan and additional RCF financing shall be paid solely from CFCs and contingent rent, if any. In no event shall MDAD be required to use general airport revenues for the payment of debt service on the RCF portion of the TIFIA loan or any additional RCF financing.

### ***Other Commitments***

#### ***Legal Contingencies***

The County is a defendant to other legal proceedings that occur in the normal course of operations. In the opinion of the County Attorney, the ultimate resolution of these legal proceedings are not likely to have a material, adverse impact on the financial position of the County or the affected funds.

#### ***Departure Incentive Program***

The County offered a Departure Incentive Program (the "Program") to employees with ten years of continuous service who were eligible for an unreduced Florida Retirement System benefit on or before January 31, 1996, and to employees who completed 20 years or more of continuous service, regardless of age, on or before January 31, 1996. The Program offered single health insurance coverage in a County approved group health plan or a \$300 a month cash payment for a minimum of eight years or until the employee becomes eligible for Medicare. The total estimated cost of the Program, discounted at 5%, is approximately \$2.8 as of September 30, 2008 million and is recorded in long-term debt.

#### ***Arbitrage Rebates***

At September 30, 2008, the County recorded obligations to rebate arbitrage interest earnings on certain General Obligation and Special Obligation Refunding and Equipment Floating Bonds (the "Bonds") issued after the passage of the Tax Reform Act of 1986. The proceeds of the bonds were used to refund existing debt and to finance certain capital projects and acquisitions accounted for within the governmental and proprietary fund types of the County.

The rebate to the Federal Government, required to be paid within five years from the date of issuance and each five years thereafter, is estimated to be approximately \$4.4 million as of September 30, 2008. The liability related to governmental activities, not expected to be paid with available financial resources, is \$2.9 million and is recorded in long-term debt. The liability related to the enterprise funds at September 30, 2008 amounted to \$1.5 million, and is also included in long-term debt. The ultimate amount of the County's obligation will be determined based on actual interest earned.

#### ***Federal and State Grants***

Federal grant awards are audited in accordance with OMB Circular A-133 and state grants are audited in accordance with Florida Rules of the Auditor General, Section 10.550 and the State of Florida Single Audit Act to determine that the terms and conditions of the grant awards have been complied with. Amounts received or receivable from grantor agencies are subject to audit adjustment by grantor agencies. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable fund. It is the County management's opinion that no material liabilities will result from any such audits.

On March 20, 2003, the U.S. Department of Transportation, Office of the Inspector General (OIG) issued Report No. AV-2003-030 entitled Oversight of Airport Revenue in connection with their audit of amounts paid to Miami-Dade County by the Miami-Dade Aviation Department (MDAD). The OIG reported Miami-Dade County diverted MDAD revenues of approximately \$38 million from 1995 to 2000. On August 9, 2005, upon receiving additional information from MDAD, the OIG agreed to adjust the finding to \$8.1 million, plus interest. The Oversight of Airport Revenue report was then updated to include the years 2001 through 2005, and the total diversion of revenues was increased to \$12 million, plus interest of \$2.3 million for a total of \$14.3 million. Miami-Dade County repaid MDAD \$1 million annually during fiscal years 2004 through 2006. During fiscal year 2007 and 2008 the County repaid MDAD \$2.3 million each year leaving an unpaid balance of \$6.7 million as of September 30, 2008. The \$6.7 million unpaid balance will be repaid by the County in quarterly installments of \$564.3 thousand over the next three fiscal years.

#### ***Annual Operating Agreement***

In accordance with the annual operating agreement between the Public Health Trust (the "Trust") and the University of Miami (the "University"), the Trust pays certain amounts for staff and services to be provided by the University. Under the annual operating agreement, costs incurred by the Trust for the year ended September 30, 2008 were approximately \$137.2 million. At September 30, 2008 the Trust had a liability to the University of approximately \$24 million.

**Note 11 – Restatements - Prior Period Adjustments****Fund statements**

Beginning fund balance / net assets reflect prior period adjustments to restate amounts in previous year statements. The prior period adjustments took place in the Other Housing Programs Special Revenue Fund and the Mixed Income Properties (Non-Major) Enterprise Fund. The effect of restatement of fund balance / net assets in the fund statements is as follows (in thousands):

	<u>Other Governmental Funds</u>	<u>Other (Non-Major) Enterprise Funds</u>
At September 30, 2007:		
Fund Balance/Net Assets - as previously reported	\$ 1,622,268	\$ 67,933
Adjustments:		
(1) To adjust various accounts of the Other Housing Programs Special Revenue Fund	(5,459)	
(2) To adjust capital assets of the Mixed Income Properties (Non-Major) Enterprise Fund		4,267
Total prior period adjustments	<u>(5,459)</u>	<u>4,267</u>
Fund Balance/Net Assets - restated	<u>\$ 1,616,809</u>	<u>\$ 72,200</u>

**Government-wide statements**

Beginning net assets reflect prior period adjustments to restate amounts in previous year statements. The prior period adjustments took place in the Other Housing Programs Special Revenue Fund and the Mixed Income Properties (Non-Major) Enterprise Fund. The effect in the government-wide statements is as follows (in thousands):

At September 30, 2007:	<u>Governmental Activities</u>	<u>Business-type Activities</u>
Net Assets - as previously reported	\$ 2,750,425	\$ 5,129,620
Adjustments:		
(1) To adjust various accounts of the Other Housing Programs Special Revenue Fund	(5,459)	
(2) To adjust capital assets of the Miami-Dade Public Housing Agency	(22,526)	
(3) Other	270	
(4) To adjust capital assets of the Mixed Income Properties (Non-Major) Enterprise Fund		4,267
Total adjustments	<u>(27,715)</u>	<u>4,267</u>
Net Assets - restated	<u>\$ 2,722,710</u>	<u>\$ 5,133,887</u>

The above adjustments were not identifiable to any specific activity in FY 2007.

**Note 12 - Interfund Transfers and Balances**

(in thousands)

		TRANSFER FROM			
		General Fund	Nonmajor Governmental	Miami-Dade Transit	Solid Waste Management
T	General Fund		\$ 13,569		
R	Nonmajor Governmental	\$ 206,996	114,036		
A	Miami-Dade Transit Department	140,964	122,135		
N.	Public Health Trust	178,060	232,408		
	Solid Waste Management		2,582		
	All Others	335			
T					
O	Total Transfers Out	\$ 526,355	\$ 484,730		

The General Fund transfer out of \$526.4 million includes: \$140.9 million to the Miami-Dade Transit Department (MDT) to support its operations in accordance with the Maintenance of Effort Agreement (MOE); \$178 million to Public Health Trust from ad valorem taxes to support its operations; \$30.7 million to the Debt Service Fund to make debt service payments as they become due; \$74 million to the Capital Projects Fund to fund capital projects as per the approved budget; and \$42.4 million to the Community and Social Development Fund to finance its programs in accordance with the approved budget.

The Nonmajor Governmental transfer out of \$483.7 million includes \$122.1 million to Miami-Dade Transit from the People's Transportation Plan (half penny transit system sales surtax), and \$232.4 million to the Public Health Trust from the Health Development Fund (half penny indigent sales surtax).

		DUE FROM			
		General Fund	Nonmajor Governmental	Miami-Dade Transit	Solid Waste Management
D	General Fund		\$ 23,260	\$ 146,548	\$ 4,222
U	Nonmajor Governmental		17,624	104,735	
E	Internal Service Fund		43	6,851	1,658
	Miami-Dade Transit Department		6,660		
	Solid Waste Management		1,518		
T	Aviation Department	\$ 22,400	5,634		
O	Water and Sewer Management		5,136		
	Public Health Trust	3,337	44,692		
	All Others		25		
	Total Due to Other Funds	\$ 25,737	\$ 104,592	\$ 258,134	\$ 5,880

The General Fund balance of \$146.5 million due from Miami-Dade Transit includes a Long-term Advance Receivable of \$72 million not scheduled to be collected in the subsequent year (an increase of \$27.3 million from fiscal year 2007), and \$74.5 million recorded as Due from Other Funds. The Nonmajor Governmental Funds balance of \$104.7 million due from Miami-Dade Transit includes a Long-term Advance Receivable of \$97.4 million not scheduled to be collected in the subsequent year and a Short-term Advance Receivable of \$4.9 million due to the People's Transportation Fund (PTP) (\$102.3 million total due to PTP), and \$2.4 million due to other nonmajor governmental funds. During fiscal year 2008, Solid Waste obtained a new equipment loan from GSA in the amount of \$4.6 million and made payments in the amount of \$3.7 million towards another existing loan and the new loan, leaving a remaining balance of \$4.2 million at September 30, 2008.

(Continued)

TRANSFER FROM					
Seaport Department	Aviation Department	Water and Sewer Department	Public Health Trust	Internal Service Fund	Total Transfer In
					\$ 13,569
					321,032
					263,099
					410,468
					2,582
					335
					\$ 1,011,085

DUE FROM					
Seaport Department	Aviation Department	Water and Sewer Department	Public Health Trust	Internal Service Fund	Total Due to Other Funds
\$ 10,020	\$ 6,965	\$ 6,936	\$ 30,517		\$ 228,468
	1,403	870	83		124,715
311	1,241	1,942	2,844		14,890
					6,660
					1,518
					28,034
	217				5,353
					48,029
					25
\$ 10,331	\$ 9,826	\$ 9,748	\$ 33,444		\$ 457,692

**Note 13 – New Accounting Pronouncements**

In November 2006, the Governmental Accounting Standards Board issued Statement No. 49, *“Accounting and Financial Reporting for Pollution Remediation Obligations”* (GASB 49) which is effective for fiscal periods beginning after December 15, 2007. GASB 49 provides guidance on how to calculate and report the costs and obligations associated with pollution cleanup efforts. The County will implement the requirements of GASB 49 beginning with fiscal year 2009.

In June 2007, the Governmental Accounting Standards Board issued Statement No. 51, *“Accounting and Financial Reporting for Intangible Assets”* (GASB 51) which is effective for fiscal periods beginning after June 15, 2009. GASB 51 establishes accounting and financial reporting requirements for intangible assets including easements, water rights, timber rights, patents, trademarks, and computer software. The County will implement the requirements of GASB 51 beginning with fiscal year 2010.

In June 2008, the Governmental Accounting Standards Board issued Statement No. 53, *“Accounting and Financial Reporting for Derivative Instruments”* (GASB 53) which is effective for fiscal periods beginning after June 15, 2009. A key provision of GASB 53 is that derivative instruments covered in its scope, with the exception of synthetic guaranteed investment contracts (SGICs) that are fully benefit-responsive, be reported at fair value. The County will implement the requirements of GASB 53 beginning with fiscal year 2010.

In March 2009, the Governmental Accounting Standards Board issued Statement No. 54, *“Fund Balance Reporting and Governmental Fund Type Definitions”* (GASB 52) which is effective for fiscal periods beginning after June 15, 2010. GASB 52 provides new fund balance classifications and clarifies the existing governmental fund type definitions. The County will implement the requirements of GASB 54 beginning with fiscal year 2011.

**Note 14 – Subsequent Events**

On November 19, 2008, the County terminated a \$295,200,000 notional amount, variable to fixed rate swap with the bank, related to Series 2005 Water and Sewer Revenue Bonds. The termination was a result of the County's inability to replace the standby bond purchase agreement that was scheduled to expire in December 2008. The termination value was \$69.1 million, which the County paid from legally available funds of the Miami Dade Water and Sewer Department. The County does not believe that such payment will have an adverse effect on the operations of the Water and Sewer Department.

On December 18, 2008, the County issued \$146,200,000 Miami Dade County General Obligation Bonds (Building Better Communities Program (BBC) Series 2008B). The proceeds from the Series 2008B Bonds will be used to pay costs of various capital projects defined under the BBC Program. The bonds pay interest ranging from 2.25%-6.48%, with a final maturity in 2028.

On December 19, 2008, the County issued \$306,800,000 of Miami Dade Water and Sewer Systems Revenue Refunding Bonds, Series 2008C to refund all of the outstanding Miami Dade Water and Sewer System Revenue Refunding Variable Rate Demand Bonds, Series 2005.

On March 19, 2009, the County issued \$203,800,000 Miami Dade County General Obligation Bonds (Building Better Communities Program (BBC)) Series 2008B-1. The proceeds from the Series 2008B-1 Bonds will be used to pay costs of various capital projects defined under the BBC Program. The bonds pay interest ranging from 2.5%-5.88%, with a final maturity in 2038.

On May 7, 2009, the County issued \$600,000,000 Miami-Dade Aviation Revenue Bonds, Series 2009A and 2009B. The proceeds will be used to pay for airport capital improvements, portions of which were initially financed on a short-term basis by commercial paper notes.

**Lease / Leaseback Transactions**

Over a six-year period (1997-2002), Miami-Dade County participated in four Lease Leaseback Transactions, commonly known as LILO (lease-in lease –out) transactions, with fifteen tranches. Fourteen tranches involved assets of the Miami-Dade Transit Agency, including Metro Rail Cars, Transit Maintenance and Parking Facilities, and Qualified Technological Equipment (QTEs). The other tranche involved the Stephen P. Clark Center, an administrative office building for various County departments. These transactions are summarized below and are further explained in Note 5 – Leases.

<u>Lease #</u>	<u>Asset</u>	<u>Equity</u>	<u>Guarantor</u>	<u>Equity Payment Undertaking</u>	<u>Equity Payment Undertaking Provider</u>	<u>Early Buy-Out Date</u>
1	Metro Rail Cars	Bank of NY	AMBAC	Strips	AMBAC	Mutually terminated April 2008
2	Stephen P. Clark Center	Mirasol Business Trust - Rabo Bank	AMBAC	GIC	AMBAC	January 2015
3	Transit Maintenance and Parking Facilities	Bank of America Leasing (4 tranches); Norlease Leasing (2 tranches)	AIG	GIC	AIG	Bank of America tranches - January 2018; Norlease tranches - terminated March 31, 2009
4	Qualified Technological Equipment (QTEs)	PNC Leasing (1 tranche); Bank of Hawaii (1 tranche); Bank of America Leasing (5 tranches)	AIG	GIC	AIG	January 2018 (all tranches)

At the time of closing of these transactions, part of the funds received by the County (Equity Payment Undertaking) were deposited with a “AAA” rated Guarantor, who in turn purchased a Guaranteed Investment Contract (GIC) made up of securities that would grow to equal the lease value at the expected Early Buy-Out dates from 2015-2018. The value of the securities would fluctuate with the market. The Guarantor deposited the GIC with a Trustee that would hold the GIC until directed by the County to sell and disburse the maturity amount in payment of lease on the Early Buy-Out date. The GIC would be used to pay a portion of the termination value if the County were to default. The Guarantor has guaranteed that the GIC will equal the lease value at the Early Buy-Out date. If the Guarantor was downgraded below AA-/AA3, the County, upon request by the counterparty (Equity), would be required to direct the Guarantor to post additional collateral equal to the difference between the market value of the securities and the carrying value of the GIC. Upon the downgrade below AA-/AA3, the County may also be required to terminate the Guarantor’s guarantee and procure another guarantee from a “AAA” guarantor. The County’s failure to direct the Guarantor to post collateral, or the Guarantor’s failure to post collateral, or the County’s failure to replace the Guarantor is an event of default.

In September 2008, AIG, the Guarantor on thirteen of the County’s existing (Transit) tranches was downgraded to below A-/A3. In October 2008, AMBAC, the Guarantor on the other County tranche, was also downgraded below A-/A3. In October 2008, Bank of America, Bank of Hawaii, and PNC Leasing requested that AIG be asked to collateralize the Equity Payment Undertaking and the County replace them as the guarantor. In November 2008, Rabo Bank asked the County to have AMBAC collateralize the Equity Payment Undertaking and be replaced.

The County has been in negotiations with each of the equity providers and to date is exploring various options which include: 1) an option for the County to post collateral equal to the difference between the

present value of the Early Buy-Out amount and the market value of the GIC; 2) providing a surety that would guarantee the difference between the market value of the GIC and the lease value; or 3) pay a mutually agreeable price to terminate the transaction.

The US House of Representatives has passed a bill that would guarantee LILOs that have been federally approved. The Senate has failed to hear the House Bill and as of May 2009, the Senate has not proposed any similar Bill. All the County LILOs are federally approved by the Federal Transportation Authority.

On March 31, 2009, the County terminated the two leases with Norlease Leasing. Norlease Leasing was willing to accept the liquidated GIC value as of March 31, 2009 as termination payment.