

CITY OF TONTITOWN, ARKANSAS

RESOLUTION NO. 2026-_____

A RESOLUTION AFFIRMING THE DESIGNATION AND USE OF FUNDS CURRENTLY ACCOUNTED FOR IN CITY GENERAL LEDGER ACCOUNT NO. 7469 FOR THE BENEFIT, SUPPORT, PRESERVATION, OPERATION, AND IMPROVEMENT OF THE TONTITOWN HISTORICAL MUSEUM; PROVIDING FOR CONSIDERATION OF RECOMMENDATIONS FROM THE TONTITOWN MUSEUM BOARD; AND FOR OTHER PURPOSES.

WHEREAS, the City of Tontitown maintains funds presently reflected in its accounting records as General Ledger Account No. 7469, presently identified as “City Museum Sav,” with a balance of approximately \$290,000; and

WHEREAS, these funds have been maintained by the City for a period of years under various descriptions or account titles associated with the Tontitown Historical Museum; and

WHEREAS, the City, with the assistance of its accounting professionals, is presently reviewing available historical accounting records to determine, to the extent reasonably possible, the sources of the funds contained within the account, including whether portions originated from private donations, City funds, investment earnings, or other sources; and

WHEREAS, regardless of the historical accounting treatment or source of particular amounts within the account, the City Council desires to formally state its present intent that the funds remain dedicated to the benefit of the Tontitown Historical Museum, subject to any legally enforceable donor restrictions, applicable law, and the ultimate appropriation and expenditure authority of the City Council; and

WHEREAS, the City has separately explored the establishment of a fund through the Arkansas Community Foundation to provide a mechanism for future private charitable contributions benefiting the Tontitown Historical Museum; and

WHEREAS, the establishment of such a privately funded charitable account is separate and distinct from the existing City-held funds addressed by this Resolution, and nothing herein authorizes the transfer, donation, assignment, or conveyance of the funds currently held in General Ledger Account No. 7469 to the Arkansas Community Foundation or any other private entity; and

WHEREAS, the City Council values the knowledge and historical perspective of the Tontitown Museum Board and desires that the Board have an opportunity to make recommendations concerning appropriate uses of these funds, while recognizing that final authority for the appropriation and expenditure of City funds remains with the City Council as provided by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

Section 1. Designation of Existing Museum Funds.

The funds presently accounted for in General Ledger Account No. 7469, together with interest, investment earnings, or other income properly attributable to those funds, are hereby designated and reserved for purposes associated with the Tontitown Historical Museum.

Such purposes may include, but are not necessarily limited to, museum operations, preservation and acquisition of historical materials, exhibits, maintenance and improvement of museum facilities, archival activities, educational programming, capital improvements, and other expenditures directly benefiting or supporting the Tontitown Historical Museum.

Section 2. Continued City Ownership and Control.

The funds addressed by this Resolution shall remain funds held and accounted for by the City of Tontitown.

Nothing in this Resolution shall be construed as transferring ownership, custody, or control of these funds to any private foundation, nonprofit corporation, museum board, association, or other third party.

Expenditures from the account shall remain subject to applicable Arkansas law, City ordinances and purchasing requirements, budgetary controls, and such appropriation or approval by the City Council as may be legally required.

Section 3. Museum Board Recommendations.

The Tontitown Museum Board is encouraged to provide recommendations to the Mayor and City Council concerning proposed uses of the funds designated by this Resolution.

The City Council shall give reasonable consideration to recommendations submitted by the Museum Board before authorizing substantial expenditures from the account when practicable.

Such recommendations shall be advisory in nature and shall not diminish or transfer the statutory or other lawful authority of the City Council over City finances and property.

Section 4. Protection of Donor Restrictions.

To the extent that the City's continuing accounting or historical review establishes that any portion of the funds is subject to a legally enforceable donor restriction, trust condition, or other limitation, those funds shall be administered and expended consistent with that restriction or condition.

Nothing contained in this Resolution is intended to alter, extinguish, broaden, or defeat any lawful restriction attached to a particular donation.

Section 5. Accounting Review.

The City's accountants and appropriate City officials are authorized and encouraged to continue the review of the historical source and accounting treatment of the funds contained in General Ledger Account No. 7469.

The completion of that review shall not, by itself, alter the designation established by this Resolution, except to the extent modification may be required by law, generally accepted accounting principles, an enforceable donor restriction, or subsequent action of the City Council.

Section 6. Arkansas Community Foundation Fund Distinguished.

The Council acknowledges that a separate charitable fund may be established through the Arkansas Community Foundation for the receipt and administration of future private charitable contributions benefiting the Tontitown Historical Museum.

Nothing in this Resolution authorizes funds presently held by the City in General Ledger Account No. 7469 to be transferred to, donated to, or used to establish such outside charitable fund.

Section 7. Future Council Action.

It is the expressed policy and intent of the present City Council that the funds described herein be preserved and used exclusively for the benefit of the Tontitown Historical Museum.

Any future modification of this designation shall require affirmative action of the City Council and shall remain subject to any legally binding donor restrictions or other applicable requirements of law.

Section 8. Effective Date.

This Resolution shall be effective immediately upon its adoption.

PASSED AND APPROVED this ____ day of October, 2026.

APPROVED:

ATTEST:

Mayor

Recorder/Treasurer

SPONSOR(S)

I/We hereby sponsor the foregoing Resolution for consideration by the Tontitown City Council:

Alderman _____

Alderman _____

ROLL-CALL VOTE

Council Member	Yes	No	Abstain	Absent
_____	☐	☐	☐	☐
_____	☐	☐	☐	☐
_____	☐	☐	☐	☐
_____	☐	☐	☐	☐
_____	☐	☐	☐	☐
_____	☐	☐	☐	☐

Vote: _____ **Yes** _____ **No** _____ **Abstain** _____ **Absent**