RESOLUTION NO. _______

A RESOLUTION TO AUTHORIZE A TRANSFER OF ONE HUNDRED TWENTY-SEVEN THOUSAND, ONE HUNDRED FORTY-SEVEN AND 29/100 DOLLARS ($127,147.29) TO THE LITTLE ROCK AIRPORT COMMISSION, IN ADDITION TO OTHER MONIES, FOR ITS SHARE OF THE 3/8-CENT CAPITAL IMPROVEMENT SALES TAX RECEIPTS NOT PREVIOUSLY FORWARDED BY THE ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION ON AVIATION FUEL TAXES; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Federal Law any airport that receives funds from the Federal Aviation Administration and charges an Aviation Fuel Tax is to receive municipal taxes levied on such fuel; and,

WHEREAS, an error was made by the Arkansas Department of Finance & Administration and the 3/8-Cent Capital Sales and Compensating Use Tax receipts for aviation fuel were not sent to the Bill and Hillary Clinton National Airport (“the Airport”) for Aviation Fuel Tax collections; and,

WHEREAS, an Airport Enhancement Fund was created by the City in Little Rock, Ark., Resolution No. 12,961 (April 7, 2009); and,

WHEREAS, this Airport Enhancement Fund has been closed by the parties and the Forty-Six Thousand, Three Hundred Seventy-Nine and 11/100 Dollars ($46,379.11) that remained in the Fund has been applied to the amount needed to be reimbursed by the City to the Little Rock Airport Commission; and

WHEREAS, the Commission has committed to fund One Hundred Thousand, Two Hundred Seventy-Four and 90/100 Dollars ($100,274.90) to the sum to be reimbursed by the City to the Commission;

WHEREAS, with this appropriation of One Hundred Twenty-Seven Thousand, One Hundred Forty-Seven and 29/100 Dollars ($127,147.29) the City will have reimbursed Commission the total amount of Two Hundred Seventy-Three Thousand, Eight Hundred Ten and 30/100 Dollars ($273,810.30) for Aviation Fuel Taxes received;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The City shall reimburse the Little Rock Airport Commission (“the Commission”) the sum Two Hundred Seventy-Three Thousand, Eight Hundred Ten and 30/100 Dollars ($273,810.30) for receipts of the 3/8-Cent Capital Sales and Compensating Use Tax on aviation fuel as required by Federal Law.
Section 2. The amount of $127,147.29 necessary to complete this reimbursement shall come from the monthly receipts the City receives from the 3/8-Cent Capital Sand Compensating Use Tax.

Section 3. Because these tax receipts are for Capital Improvement Projects, any monies sent to the Commission or the Airport for Aviation Fuel Taxes shall only be used for capital projects to the properties that are under the control of the Commission.

Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the resolution.

Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

ADOPTED: September 15, 2015

ATTEST:                        APPROVED:

_______________________________________    _____________________________________
Susan Langley, City Clerk           Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney

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