

1 Introduced by Council Member Carrico:  
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4 **ORDINANCE 2026-336**

5 AN ORDINANCE REGARDING THE FUNDING AGREEMENT  
6 BETWEEN THE CITY OF JACKSONVILLE AND EDWARD  
7 WATERS UNIVERSITY, INC. ("EWU"), ORIGINALLY  
8 APPROVED AND AUTHORIZED BY ORDINANCE 2025-781-  
9 E; INCORPORATING RECITALS; AMENDING ORDINANCE  
10 2025-781-E BY AMENDING FOURTH REVISED EXHIBIT 3  
11 (EWU FUNDING AGREEMENT TERM SHEET) TO PROVIDE  
12 THE TERMS AND CONDITIONS FOR USE OF CITY FUNDS  
13 FOR PLANNING, DESIGN, AND PERMITTING FOR THE  
14 CONSTRUCTION OF TRACK IMPROVEMENTS ON THE EWU  
15 CAMPUS IN LIEU OF A LIVING, LEARNING, COMMUNITY  
16 CENTER AS ORIGINALLY PROPOSED AND AUTHORIZED IN  
17 ORDINANCE 2025-781-E; APPROVING AND AUTHORIZING  
18 THE MAYOR, OR HER DESIGNEE, AND THE CORPORATION  
19 SECRETARY TO EXECUTE AND DELIVER FOR AND ON  
20 BEHALF OF THE CITY A GRANT-RELATED PROGRAMMATIC  
21 USE AGREEMENT (THE "USE AGREEMENT") PROVIDING  
22 THE TERMS AND CONDITIONS FOR PROGRAMMING AND  
23 SHARED USE BY THE CITY OF THE TRACK  
24 IMPROVEMENTS; PROVIDING FOR OVERSIGHT OF THE USE  
25 AGREEMENT BY THE PARKS, RECREATION AND COMMUNITY  
26 SERVICES DEPARTMENT; PROVIDING AN EFFECTIVE  
27 DATE.

28  
29 **WHEREAS**, on December 9, 2025, the City Council enacted  
30 Ordinance 2025-781-E, which included an appropriation of \$2,000,000  
31 to Edward Waters University, Inc. ("EWU") to be used for planning,

1 design and permitting of a Living, Learning, Community Center to be  
2 constructed on the EWU campus; and

3 **WHEREAS**, Ordinance 2025-781-E authorized execution of a funding  
4 agreement with EWU for the Living, Learning, Community Center subject  
5 to the terms and conditions appended to Ordinance 2025-781-E as Fourth  
6 Revised Exhibit 3; and

7 **WHEREAS**, pursuant to the aforementioned terms and conditions,  
8 the City and EWU were required to enter into a Use Agreement prior  
9 to disbursement of any City funds outlining the City's rights to use  
10 the Living, Learning, Community Center for community events; and

11 **WHEREAS**, subsequent to the City Council's enactment of Ordinance  
12 2025-781-E, EWU proposed an alternative use of the City funds for  
13 planning, design, and permitting for the construction of an NCAA-  
14 compliant 400-meter track and walking trail on the EWU campus (the  
15 "Track Improvements") recognizing this type of improvement allowed  
16 for greater shared use by the City for community events; and

17 **WHEREAS**, the City Council desires to revise the terms and  
18 conditions of the funding agreement approved by Ordinance 2025-781-E  
19 to provide that the City funds will be used for the planning, design  
20 and permitting of the Track Improvements rather than the Living,  
21 Learning, Community Center, and to approve and authorize a Grant-  
22 Related Programmatic Use Agreement (the "Use Agreement") outlining  
23 the terms for the City's use of said Track Improvements; and

24 **WHEREAS**, the Use Agreement provides that EWU shall utilize the  
25 Track Improvements to provide a minimum of four community-wide  
26 wellness events annually and further that EWU shall partner with at  
27 least two local schools, youth-serving organizations, faith-based  
28 organizations, senior-serving organizations, neighborhood  
29 associations, and/or other community-based organizations annually to  
30 provide structured health and wellness programming at the Track  
31 Improvements; and

1           **WHEREAS**, the Use Agreement further provides that EWU may, at its  
2 discretion, make the Track Improvements available for additional  
3 programming, wellness initiatives, youth engagement activities, and  
4 other public-serving events; and

5           **WHEREAS**, in consideration of the provisions outlined in the Use  
6 Agreement for community-wide programming and events to occur at the  
7 Track Improvements, the City Council finds that the use of City funds  
8 for the planning, design and permitting for construction of the Track  
9 Improvements will enable and facilitate the construction of said  
10 improvements to create a facility designed to improve the quality of  
11 life for EWU students and the public; and

12           **WHEREAS**, the City Council hereby finds that the authorizations  
13 provided by this Ordinance are for public uses and purposes for which  
14 the City may use its power as a municipality and as a political  
15 subdivision of the State of Florida and may expend public funds, and  
16 the necessity in the public interest for the provisions herein enacted  
17 is hereby declared as a matter of legislative determination; now  
18 therefore

19           **BE IT ORDAINED** by the Council of the City of Jacksonville:

20           **Section 1.           Incorporation of Recitals.** The above recitals  
21 are true and correct and are incorporated herein by this reference.

22           **Section 2.           Amending Ordinance 2025-781-E to Replace Fourth**  
23 **Revised Exhibit 3 (EWU Funding Agreement Term Sheet) as Authorized**  
24 **Herein.** Ordinance 2025-781-E, which, in part, approved and authorized  
25 execution of a funding agreement between the City of Jacksonville and  
26 EWU for the planning, design and permitting for construction of a  
27 Living, Learning, Community Center, is hereby amended to replace the  
28 Term Sheet appended to said legislation with the Term Sheet attached  
29 hereto as **Exhibit 1** and incorporated herein by this reference. The  
30 Term Sheet has been revised to provide that the City funds, in an  
31 amount not-to-exceed \$2,000,000 shall be used toward the costs for

1 planning, design, and permitting for the construction of track  
2 improvements on the EWU campus. The Track Improvements will entail  
3 construction of an NCAA-compliant, 400-meter track and walking trail.  
4 The City funds will be disbursed on a reimbursement basis for eligible  
5 costs for planning, designing, and permitting of the Track  
6 Improvements which shall be completed no later than September 30,  
7 2028. The Term Sheet further provides that the City and EWU shall  
8 enter into a separate use agreement outlining the mutually agreed-  
9 upon opportunities for community engagement and coordinated public  
10 use of the Track Improvements.

11 **Section 3. Approving, and Authorizing Execution of a Grant-**  
12 **Related Programmatic Use Agreement.** The Mayor, or her designee, and  
13 the Corporation Secretary are hereby authorized to execute and  
14 deliver, for and on behalf of the City, a Grant-Related Programmatic  
15 Use Agreement (the "Use Agreement") in substantially the form attached  
16 hereto as **Exhibit 2** and incorporated herein by this reference, and  
17 all other contracts, memorandums of understanding and documents,  
18 including amendments thereto, and to otherwise take all action  
19 necessary to effectuate the intent of this Ordinance, subject to  
20 appropriate legal review and approval by the Office of General Counsel  
21 and the City's Risk Management Division for appropriate insurance and  
22 indemnification requirements in accordance with Section 128.601,  
23 *Ordinance Code.*

24 **Section 4. Oversight.** The Parks, Recreation and Community  
25 Services Department shall have oversight of the Use Agreement  
26 described herein.

27 **Section 5. Effective Date.** This Ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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