

1 Introduced by Council Member Carrico and Co-Sponsored by Council
2 Member Arias and amended by the Rules Committee:

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4
5 **ORDINANCE 2026-336-E**

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

29
30 **WHEREAS**, on December 9, 2025, the City Council enacted
31 Ordinance 2025-781-E, which included an appropriation of \$2,000,000

1 to Edward Waters University, Inc. ("EWU") to be used for planning,
2 design and permitting of a Living, Learning, Community Center to be
3 constructed on the EWU campus; and

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

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

12 **WHEREAS**, subsequent to the City Council's enactment of Ordinance
13 2025-781-E, EWU proposed an alternative use of the City funds for the
14 construction of a track/walking trail on the EWU campus (the "Track
15 Improvements") recognizing this type of improvement allowed for
16 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 construction of the
20 Track Improvements, including planning, design, permitting,
21 construction and related costs, rather than the Living, Learning,
22 Community Center, and to approve and authorize a Grant-Related
23 Programmatic Use Agreement (the "Use Agreement") outlining the terms
24 for the City's use of said Track Improvements; and

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

1 wellness programming at the Track Improvements; and

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

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

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

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

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

23 **Section 2. Amending Ordinance 2025-781-E to Replace Fourth**
24 **Revised Exhibit 3 (EWU Funding Agreement Term Sheet) as Authorized**
25 **Herein and to Revise the Section 118.107 Waiver Justification.**

26 Ordinance 2025-781-E, which, in part, approved and authorized
27 execution of a funding agreement between the City of Jacksonville and
28 EWU for the planning, design and permitting for construction of a
29 Living, Learning, Community Center, is hereby amended to replace the
30 Term Sheet appended to said legislation with the Term Sheet attached
31 hereto as **Revised Exhibit 1**, labeled as "Revised Exhibit 1, Rev Term

1 Sheet, May 18, 2026 - NCSPHS" and incorporated herein by this
2 reference. The Term Sheet has been revised to provide that the City
3 funds, in an amount not-to-exceed \$2,000,000 shall be used toward the
4 costs for planning, design, permitting, site preparation,
5 construction and related costs for track improvements on the EWU
6 campus. The Track Improvements will entail construction of a
7 track/walking trail. The City funds will be disbursed on a
8 reimbursement basis for eligible costs for construction and related
9 costs of the Track Improvements which shall be completed no later
10 than December 31, 2028. The Term Sheet further provides that the
11 City and EWU shall enter into a separate use agreement outlining the
12 mutually agreed-upon opportunities for community engagement and
13 coordinated public use of the Track Improvements. Additionally, the
14 justification for the waiver of Section 118.107, *Ordinance Code*,
15 originally authorized in Ordinance 2025-781-E is revised to reflect
16 the alternative use of City funds as described herein. The City finds
17 that this waiver as applied to EWU is justified as the City funds
18 will be used to support development of the Track Improvements which
19 will advance community health, wellness, and access to recreational
20 infrastructure, with particular emphasis on serving residents of
21 Northwest Jacksonville and the New Town community.

22 **Section 3. Approving, and Authorizing Execution of a Grant-**
23 **Related Programmatic Use Agreement.** The Mayor, or her designee, and
24 the Corporation Secretary are hereby authorized to execute and
25 deliver, for and on behalf of the City, a Grant-Related Programmatic
26 Use Agreement (the "Use Agreement") in substantially the form attached
27 hereto as **Second Revised Exhibit 2**, labeled as "Second Revised Exhibit
28 2, 2nd Rev Use Agmt, May 18, 2026 - Rules" and incorporated herein
29 by this reference, and all other contracts, memorandums of
30 understanding and documents, including amendments thereto, and to
31 otherwise take all action necessary to effectuate the intent of this

1 Ordinance, subject to appropriate legal review and approval by the
2 Office of General Counsel and the City's Risk Management Division for
3 appropriate insurance and indemnification requirements in accordance
4 with Section 128.601, *Ordinance Code*.

5 **Section 4. Oversight.** The Parks, Recreation and Community
6 Services Department shall have oversight of the Use Agreement
7 described herein and the Department of Public Works shall have
8 oversight of the funding agreement described herein.

9 **Section 5. Effective Date.** This Ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation Prepared By: Mary E. Staffopoulos

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