

## FLOOR AMENDMENT

Council President Newby offers the following floor amendment to File 2021-849:

- (1) On **page 1, lines 13-14, strike** "AN AGREEMENT" and **insert** "AGREEMENTS";
- (2) On **page 1, line 16, strike** "(GENERAL REGULATIONS" and **insert** "(GENERAL REGULATIONS)";
- (3) On **page 1, line 21, after "HEREIN;" insert** "WAIVING SECTION 118.107 (NONPROFITS TO RECEIVE FUNDING THROUGH A COMPETITIVE EVALUATED AWARD PROCESS), PART 1 (GENERAL PROVISIONS), CHAPTER 118 (CITY GRANTS), *ORDINANCE CODE*, TO ALLOW DIRECT CONTRACT WITH EDWARD WATERS UNIVERSITY; WAIVING SECTION 118.201(F)(7) (RELEASE OF APPROPRIATIONS), *ORDINANCE CODE*, TO ALLOW FOR ADVANCE PAYMENTS IN EXCESS OF 10% TO EDWARD WATERS UNIVERSITY;";
- (4) On **page 2, line 3, strike** "and" and **insert** "as";
- (5) On **page 2, line 23, strike** "Exhibit 1" and **insert** "Revised Exhibit 1, labeled as "Revised Exhibit 1, Rev B.T., January 3, 2022 - NCSPHS"";
- (6) On **page 2, lines 26 and 28, strike** "Exhibit 1" and **insert** "Revised Exhibit 1";
- (7) On **page 3, line 6, strike** "Exhibit 2" and **insert** "Revised Exhibit 2, labeled as "Revised Exhibit 2, Rev Scope, January 3, 2022 - NCSPHS"";
- (8) On **page 3, lines 11-12, strike** "an agreement" and **insert** "agreements";

- (9) On **page 3, line 13-19, strike** "The Mayor, or his designee, and the Corporation Secretary are hereby authorized to execute and deliver an agreement in a form approved by the Office of General Counsel between the City of Jacksonville and Edward Waters University, Inc. in a not to exceed amount of \$500,000.00, for the Community Health and Fitness Center, as more particularly described in **Exhibit 2**, attached hereto and incorporated herein by this reference." and **insert** " The Mayor, or his designee, and the Corporation Secretary are hereby authorized to execute and deliver a Grant Agreement in substantially the form attached hereto as **Revised Exhibit 3**, labeled as "Revised Exhibit 3, Rev Joint Use Agreement, January 11, 2022 - Floor" and a Joint Use Agreement in substantially the form attached hereto as **Revised Exhibit 4**, labeled as "Revised Exhibit 4, Rev Grant Agreement, January 11, 2022 - Floor" between the City of Jacksonville and Edward Waters University, Inc. to provide for a Community Health and Fitness Center at EWU.";
- (10) On **page 3, line 19, strike** "agreement" and **insert** "agreements";
- (11) On **page 4, line 19½, insert** a new Section 6 and new Section 7 to read as follows:
- " Section 6. Waiver of Section 118.107 (Nonprofits to receive funding through a competitive evaluated award process), Part 1 (General Provisions), Chapter 118 (City Grants), Ordinance Code.** The provisions of Section

118.107 (Nonprofits to receive funding through a competitive evaluated award process), Part 1 (General Provisions), Chapter 118 (City Grants), *Ordinance Code*, are hereby waived to allow for a direct contract with EWU and the City of Jacksonville. The Council finds that waiver of Section 118.107, *Ordinance Code*, is necessary and justified to allow a direct contract with EWU. EWU is a Historic Black College and University (HBCU) located in an area with significant public health challenges. EWU is uniquely situated to provide a benefit to the public health and welfare by providing public access to the community through its Community Wellness and Fitness Center. EWU has agreed to provide free community access to the Community Wellness and Fitness Center for the first five (5) years. The Council finds that only EWU could provide this service to the community and therefore a direct contract with EWU is warranted.

**Section 7. Waiver of Section 118.201(f) (7) (Release of Appropriations), *Ordinance Code*.** Section 118.201(f) (7) (Release of Appropriations), Chapter 118 (City Grants), *Ordinance Code*, is hereby waived as to the disbursement of funds based upon draws for services performed or reimbursements for work done. Waiver of Section 118.201(f) (7), *Ordinance Code*, is requested to allow advance payments in excess of 10% to EWU.”;

(12) Renumber remaining Sections accordingly;

- (13) Remove **Exhibit 1** and replace with **Revised Exhibit 1** attached hereto, which attaches the Revised B.T.;
- (14) Remove **Exhibit 2** and replace with **Revised Exhibit 2** attached hereto, which attaches the Revised Scope;
- (15) Add **Revised Exhibit 3** attached hereto, which attaches the Grant Agreement between the City of Jacksonville and EWU;
- (16) Add **Revised Exhibit 4** attached hereto, which attaches the Joint Use Agreement between the City of Jacksonville and EWU;
- (17) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

          /s/ Paige H. Johnston          

Office of General Counsel

Legislation Prepared By: Lawsikia J. Hodges

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