

RESOLUTION NO. 21-R-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, MAKING FINDINGS OF A DEFAULT BY SITEL OPERATING CORPORATION, UNDER AN ECONOMIC DEVELOPMENT FINANCIAL INCENTIVE GRANT (“EDFIG”) AGREEMENT; RESCINDING THE ELIGIBILITY OF SITEL OPERATING CORPORATION, FOR EDFIG FUNDING; PROVIDING FOR TERMINATION OF THE EDFIG AGREEMENT BETWEEN THE COUNTY, CITY OF OCALA, AND SITEL OPERATING CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about May 5, 2012, the Board approved Sitel Operating Corporation (the “Company”) eligible for funding under Marion County’s Economic Development Financial Incentive Grant (“EDFIG”); and

WHEREAS, the City of Ocala similarly approved Company to receive a City Economic Investment Program (“EIP”) grant; and

WHEREAS, Marion County, the City of Ocala, and Company entered into an EIP/EDFIG Grant Agreement on or about May 31, 2012, with an effective date of June 1, 2012 (the “Agreement”); and

WHEREAS, the Agreement provides that Company perform certain Mandatory Requirements, including that found in paragraph 3.1.2 that Company occupy the Premises located at 1417 North Magnolia Avenue, Ocala, Florida 34475 (the “Premises”) through the Grant Expiration Date of September 30, 2024; paragraph 3.1.7 that Company remain an exclusive customer of Ocala Electric through the Grant Expiration Date; and paragraph 3.1.11 that Company provide quarterly reports as well as annual reports to the City and County; and

WHEREAS, it has come to the attention of Marion County that Company has vacated the Premises and no longer uses the Facilities for the Business, has ordered the termination of the County account with Ocala Electric, and has failed to submit a quarterly report due July and October, 2020 and thereafter, as well as failed to submit an annual report due October 30, 2020; and

WHEREAS, due to said breach of the Agreement Marion County initiated communication with Company demanding Company perform and provided written notice as to the failure to submit reports, but Company failed to respond; and

WHEREAS, on or about August 6, 2021, Staff at the City of Ocala advised Marion County that based on Company’s failure to perform the Agreement as outlined above, the City of Ocala is proceeding to terminate the Agreement; and

WHEREAS, due to Company's breach of the terms of the Agreement, Company having been placed on notice of the breach, Company having wholly failed to respond, and the City having represented its proceeding to terminate the Agreement, the County now terminates the Agreement with Company.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida, that:

SECTION 1. RECITALS. That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

SECTION 2. ELIGIBILITY RESCISSION. The eligibility of Sitel Operating Corporation, for EDFIG funding is hereby rescinded.

SECTION 3. AGREEMENT TERMINATION. Sitel Operating Corporation, shall be sent a termination letter as per provisions of the Economic Development Funding Incentive Grant Agreement entered on or about May 31, 2012. County Staff is directed to coordinate and cooperate with the City of Ocala as needed in the City's termination of same.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 17th day of August, 2021.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

GREGORY C. HARRELL, CLERK

JEFF GOLD, CHAIRMAN