




Interoffice Memorandum

Public Hearing

September 17, 2025

**TO:** Jennifer Lara Klimetz, Assistant Manager,  
Clerk of the Board of County Commissioners,  
County Comptroller's Office

**THROUGH:** Cheryl Gillespie, Supervisor,  
Agenda Development Office

**FROM:** Tanya Wilson, AICP,   
Director, Planning Environmental and  
Development Services

**CONTACT PERSON:** **Misty Mills**  
**Senior Planner**  
**(407) 836-5435 or misty.mills@ocfl.net**

**SUBJECT:** Fourth Amendment to the Settlement Interlocal  
Agreement between Orange County and the City  
of Apopka

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**Applicant:** Staff

**Type of Hearing:** Joint Planning Area (JPA) Agreement

**Commission District:** 2

**ESTIMATED TIME REQUIRED  
FOR PUBLIC HEARING:** Two minutes

**HEARING CONTROVERSIAL:** No

**HEARING REQUIRED BY  
FL STATUTE OR CODE:** Section 163.3171(3), Florida Statutes

**ADVERTISING REQUIREMENTS:** At least 10 days before the BCC public hearing

**APPLICANT/ABUTTERS  
TO BE NOTIFIED:** N/A

**Spanish Contact Person:** IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Email: [planning@ocfl.net](mailto:planning@ocfl.net) or phone, 407-836-5600

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-5600

**HAITIAN CREOLE CONTACT PERSON:**  
POU W KA JWENN PLIS ENFÒMASYON AN KREYÒL AYISYEN SOU REYINYON PIBLIK SA YO OSWA SOU CHANJMAN KAP FÈT YO, TANPRI RELE 407-836-3111.

**MATERIALS BEING SUBMITTED AS BACKUP FOR PUBLIC HEARING REQUEST:**

- (1) Advertising Language
- (2) Proposed fourth amendment to the Settlement Interlocal Agreement between Orange County and the City of Apopka

**Special instructions to the Clerk:**

- (1) Please schedule this public hearing for October 14, 2025.
- (2) Misty Mills will submit one original executed by the City of Apopka's to the Clerk's office. Please transmit the fully executed original to Misty Mills upon approval.

c: Jon V. Weiss, P.E., Deputy County Administrator  
Scott Skraban, AICP, Director, Planning, Environmental, and Development Services Department  
Andrew Mai, Assistant County Attorney, Orange County Attorney's Office  
Alberto Vargas, March, Manager, Planning Division

**FOURTH AMENDMENT TO THE SETTLEMENT INTERLOCAL AGREEMENT  
BETWEEN ORANGE COUNTY AND THE CITY OF APOPKA**

**THIS FOURTH AMENDMENT TO THE SETTLEMENT INTERLOCAL AGREEMENT** (this “**Fourth Amendment**”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the **CITY OF APOPKA**, a Florida municipal corporation (the “**City**”) and **ORANGE COUNTY, FLORIDA**, a political subdivision and charter county of the State of Florida (the “**County**”).

**RECITALS**

**WHEREAS**, the City and County entered into that certain Settlement Interlocal Agreement Between the City of Apopka, Florida and Orange County, Florida on October 26, 2004, as amended by that certain First Amendment to the Settlement Interlocal Agreement approved on August 2, 2005, and by that certain Second Amendment to Joint Planning Area Agreement Between Orange County and the City of Apopka approved on October 19, 2010, and by that certain Third Amendment to Settlement Interlocal Agreement between the City of Apopka and Orange County approved on April 23, 2019 (collectively the "Agreement" or the "JPA"); and

**WHEREAS**, the agreement is set to expire on December 31, 2025, and will automatically extend for an additional five (5) year term, unless either the City or the County delivers a notice of non-renewal; and

**WHEREAS**, at a public hearing on July 2, 2025, the City of Apopka City Council voted to extend the agreement for an additional two (2) year term to allow the City and the County to renegotiate a Joint Planning Area Agreement; and

**WHEREAS**, the City and County now desire to further amend the Agreement to extend the term of the agreement, which is set to expire December 31, 2025, for an additional two-year term to expire December 31, 2027; and

**WHEREAS**, pursuant to Section 163 .3171 (3), Florida Statutes, this Fourth Amendment has been approved by the Orange County Board of County Commissioners and the Apopka City Council at advertised public hearings.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

**Section 1.     Recitals.** The foregoing Recitals are true and correct and are incorporated into and form a part of this Fourth Amendment. All initially capitalized terms not defined herein shall have the meaning set forth in the Agreement.

**Section 2. Authority.** This Fourth Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes, (2) the general authority of section 163.01, Florida Statutes, relating to interlocal agreements, (3) the Charters of the County and the City, and (4) the Agreement.

**Section 3. Text Amendment.** Section 10. Term of Agreement; Termination; Extensions. is amended to read as follows:

- (a) This Agreement shall expire on December 31, ~~2025~~ 2027, unless extended in accordance with the terms of subsection 10(b).

**Section 4. Continuing Effect.** Except as expressly set forth herein, the Agreement remains unchanged and in full force and effect.

**Section 5. Severability.** Except as expressly set forth herein, all other provisions of the Agreement remain unchanged and in full force and effect. Should any section, subsection, sentence, clause, phrase or provision of this Fourth Amendment be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed to render the remaining portions of this Fourth Amendment invalid or unconstitutional.

**Section 6. Effective Date.** This Fourth Amendment to the Agreement shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

**IN WITNESS WHEREOF,** the County and the City have executed this Fourth Amendment on behalf of the County and the City, respectively, and have set their seals hereto as of the date set forth above.

**Fourth Amendment to the Settlement Interlocal Agreement Between Orange County and the City of Apopka**

**ORANGE COUNTY, FLORIDA**

**By: Board of County Commissioners**

By: \_\_\_\_\_

**Jerry L. Demings**

**Orange County Mayor**

Date: \_\_\_\_\_

ATTEST: Phil Diamond, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_

**Clerk**

Date: \_\_\_\_\_

**CITY OF APOPKA**

**By: City Council**

By: \_\_\_\_\_

**Bryan Nelson, Mayor**

Date: \_\_\_\_\_

Attest: Susan M. Bone

City Clerk

By: \_\_\_\_\_

Date: \_\_\_\_\_