

**RESOLUTION 2026 - \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE TOHOPEKALIGA WATER AUTHORITY TO PROVIDE POTABLE WATER, WASTEWATER, AND RECLAIMED WATER UTILITY SERVICES WITHIN ITS AMENDED DISTRICT BOUNDARIES LOCATED IN UNINCORPORATED AREAS OF POLK COUNTY AS DESCRIBED IN CHAPTER 2025-244, LAWS OF FLORIDA; AND APPROVING AN INTERLOCAL AGREEMENT WITH THE AUTHORITY GRANTING IT THE RIGHT TO PROVIDE THOSE WATER UTILITY SERVICES THEREIN.**

**WHEREAS**, Section 125.01, Florida Statutes, authorizes the County to provide water, wastewater, and reclaimed water services (collectively, the "Water Utility Services") within the unincorporated areas of Polk County; and

**WHEREAS**, the Tohopekaliga Water Authority ("Toho"), an independent special district established and created by special act of the Florida Legislature pursuant to Chapter 189, Florida Statutes, provides Water Utility Services within its defined district boundaries and service area which includes portions of eastern Polk County; and

**WHEREAS**, in 2025, Toho requested the County's support of legislation that would extend Toho's district boundaries and water utility service area into an additional portion (the "Modified Polk Portion") of northeast unincorporated Polk County near Poinciana where the County does not plan to establish and provide Water Utility Services; and

**WHEREAS**, with the County supporting the legislation, the Florida Legislature subsequently passed House Bill 4057, amending and expanding Toho's district boundaries into the Modified Polk Portion, with the Governor signing the bill into law as Chapter 2025-244, Laws of Florida ("Chapter 2025-244"), effective June 6, 2025; and

**WHEREAS**, Chapter 2025-244 conditions the amendment and expansion of Toho's district boundaries into the Modified Polk Portion upon the Board of County Commissioners adopting a resolution authorizing Toho to provide its Water Utility Services therein; and

**WHEREAS**, in association with its adoption of the Resolution, Toho has requested the County concurrently grant Toho those rights, powers, authority, privileges, and abilities the County possesses to provide the Water Utility Services within the Modified Polk Portion through an Interlocal Agreement between the parties; and

**WHEREAS**, approval of the Interlocal Agreement supports Toho's ability to provide Water Utility Services to Polk County residents and businesses within the Modified Polk Portion;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA AT ITS DULY NOTICED REGULAR MEETING CONDUCTED JUNE 2, 2026, THAT:**

1. The Board hereby authorizes Toho to provide the Water Utility Services within the Modified Polk Portion as defined and depicted on the attached Exhibit "A."

2. The Board approves the County entering into an Interlocal Agreement with Toho whereby the County grants Toho an irrevocable right to provide the Water Utility Services within the Modified Polk Portion, subject to a termination of that right as to the whole or any sub-portion thereof if the Florida Legislature subsequently removes any such area from Toho's district boundary.

**ADOPTED THIS 2ND DAY OF JUNE 2026.**

ATTEST:

STACEY M. BUTTERFIELD, Clerk

BOARD OF COUNTY COMMISSIONERS  
POLK COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Martha Santiago, Ed. D., Chair

**Legal Description of Poinciana Service Area located in Polk County, Florida.**

**In Township 26 South, Range 28 East**

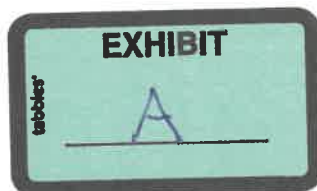
Section 29: The East ½.  
Section 32: The East ½.

**In Township 27 South, Range 28 East**

Section 5: All.  
Section 6: All.  
Section 7: All.  
Section 8: All.  
Section 13: All.  
Section 14: All.  
Section 15: All.  
Section 16: All.  
Section 17: All.  
Section 18: All.  
Section 19: All.  
Section 20: All.  
Section 21: All.  
Section 22: All.  
Section 23: All.  
Section 24: All.  
Section 25: All.  
Section 26: All.  
Section 27: All.  
Section 28: All.  
Section 29: All, north of Lake Marion.  
Section 30: All, north of Lake Marion, less the SW ¼ of the SW ¼.  
Section 32: All, north and east of Lake Marion.  
Section 33: All.  
Section 34: All.  
Section 35: All.  
Section 36: All

**In Township 28 South, Range 28 East**

Section 1: All.  
Section 2: All.  
Section 3: All.



Section 4: All, east of Lake Marion.  
Section 9: All, east of Lake Marion.  
Section 10: All.  
  
Section 11: All.  
Section 12: All.  
Section 13: All.  
Section 14: All.  
Section 15: All.  
Section 16: All, south of Lake Marion.  
Section 21: All, less portion of section 21 lying south of Lake Hatchineha Road (SR 542).  
Section 22: All.  
Section 23: All.  
Section 24: All.

**In Township 28 South, Range 29 East**

Section 4: The west 660 feet.  
  
Section 5: All.  
Section 6: All.  
Section 7: All.  
Section 8: All.  
Section 9: The west 660 feet.  
Section 16: The NW  $\frac{1}{4}$ , of the NW  $\frac{1}{4}$ , of the NW  $\frac{1}{4}$ , lying northwest of the canal.  
Section 17: The portion of section 17 lying northwest of the canal and east of Lake Hatchineha.  
  
Section 18: All of section lying west of Lake Hatchineha.  
Section 19: All of section lying north and west of the canal.

