

*BACKUP
DOCUMENTS*

POLK COUNTY

SUBJECT

Approve Interlocal Agreement with the Tohopekaliga Water Authority and the accompanying Resolution regarding utility service area boundaries in portions of unincorporated areas of eastern Polk County.

DESCRIPTION

The Tohopekaliga Water Authority (“Toho”) is an independent special district created by the Florida Legislature to provide potable and non-potable water and wastewater services within statutorily defined district boundaries. Portions of eastern unincorporated Polk County are included within Toho’s district boundaries.

In 2025, the Florida Legislature passed House Bill 4057 which when signed into law became Chapter 2025-244, Laws of Florida. This legislation, which the County supported, extends Toho’s district boundaries into additional unincorporated areas (the “Extended Toho Area”) of northeast unincorporated Polk County near Poinciana.

The “Extended Toho Area” is not within Polk County Utilities service area, nor the service area of any other utility provider. The County does not provide potable water, reclaimed water, or wastewater services within the Extended Toho Area and has no plans to do so. For the extended Toho district boundaries to be effective, the Board of County Commissioners must adopt a Resolution authorizing Toho to provide these services within the Extended Toho Area. A proposed authorizing Resolution which includes a description and depiction of the Extended Toho Area is attached as part of this agenda item. In addition to the Resolution, Toho has requested the County enter into an Interlocal Agreement granting Toho an irrevocable right to provide potable water, wastewater, and reclaimed water services within the Extended Toho Area. The attached proposed agreement grants Toho those rights which can be terminated if the Florida Legislature later revises the Toho district boundaries to exclude all or any portion of the Extended Toho Area. The Interlocal Agreement also corrects a minor scrivener’s error in the legal description of the Extended Toho Area.

RECOMMENDATION

Request Board approve the Interlocal Agreement with the Tohopekaliga Water Authority and the accompanying Resolution regarding utility service area boundaries in portions of unincorporated areas of eastern Polk County.

FISCAL IMPACT

No fiscal impact.

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CONTACT INFORMATION

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Project Checklist

- Project Name: Approve Interlocal Agreement with the Tohopekaliga Water Authority and the accompanying Resolution regarding utility service area boundaries in portions of unincorporated areas of eastern Polk County
- Project Location: Eastern Polk County
- Source of Funds: NA
- Project Cost Summary: NA
- Certifications: This request has been reviewed by:



Charles Richards, C.P.A.
Deputy Director of Customer Service and Finance



Tamara Richardson, P.E.
Utilities Division Director