

## Lakewood TIF Timeline:

**1. Late 2014-Early 2015;** Lakewood announced plans for, and voted into existence, a 600+ acre TIF district which would include a Sportsplex on one operational golf course acreage.

The acreage of Lakewood TIF encompasses two operational golf courses, cornfields, a few homesteads, and two plant nurseries. There are about 3 miles of road frontage on two State roads included in Lakewood TIF.

**2. Early 2015:** Citizens began asking Woodstock CUSD 200 (and other affected taxing bodies) to investigate legal options to invalidate this TIF (based upon shaky 'blight' and 'but-for' designations, as well as ambiguous TIF statute language barring development of TIF golf courses).

Woodstock Citizens pleaded with D200 Superintendent for D200 to investigate detachment-annexation procedure in order to transfer TIF area into the school districts which educated all Lakewood children and received all Lakewood property tax revenue. If the TIF was as benign as Lakewood insisted it would be, there should be no problem getting Lakewood school districts to agree.

**3. Early 2015:** Citizens predicted (time-stamp memorialized on [mchenrycountyblog.com](http://mchenrycountyblog.com)) that the Sportsplex was a shill in order to get a free shot (different school district placement) for low income housing well away from the poshy golf course community of Lakewood, with education costs paid for by non-Lakewood taxpayers. Illinois Affordable Housing Act demanded a July 2015 report on how Lakewood would comply with 10% affordable housing when Lakewood's current ratio was about 2.5%.

**4. July 2015:** Lakewood passed resolution to site minimum 100 low income housing units in TIF. (Tif is in Woodstock school D200, which is paid for entirely by non-Lakewood taxpayers. Lakewood sends all its own children and tax dollars to Crystal Lake school districts).

Citizens renewed pleas with D200 to initiate detachment-annexation proceedings to transfer the TIF area into the school districts in Crystal Lake which educate all Lakewood children and receive all Lakewood property tax dollars.

**5. Sportsplex has not been mentioned** lately; no proposed commercial development currently exists to justify TIF designation.

**6. Citizens continue to ask** Woodstock D200 school board and superintendent for protection against a tax liability dump of projected minimum \$540,000 annually for 35 years, in order to pay for Lakewood TIF children's education, while Lakewood collected all TIF property tax dollars. D200 only reply was : "we are examining our legal options".

**7. December 15 2015 regular school board meeting.** Superintendent Moan, on advice of retained counsel, proposed D200 file a lawsuit against Lakewood to invalidate the TIF.

Chairwoman Goodwin proposed tabling the motion so she could meet with Lakewood after a week. School board voted unanimously to table motion for lawsuit.

Superintendent Moan was quick enough to ask for special board meeting on motion which would fall within the time frame allowed by law for filing suit. Next D200 meeting to be December 30th to vote on tabled motion to litigate. (Time limitations? Tif was gaveled into existence by Lakewood in January 2015). (A copy of prepared complaint-- for which D200 taxpayers will need to pay in any case-- is included in December 15 2015 D200 agenda packet).

**8. December 30 2015:** School board took no action on proposed litigation against improper Lakewood TIF. On December 30th 2015. Citizens had begged school board chairwoman (a licensed attorney) to obtain a tolling agreement in return for stalling litigation.

**9. Lakewood announced developer interest in 240 unit poshy condo development** on Lakewood golf course Turnberry. Citizens pointed out that this will raise need for 'affordable housing' by another 24 units, presumably to be sited in TIF, with Woodstock D200 taxpayers paying the full cost on Lakewood's behalf while Lakewood collects even MORE incremental property tax revenue for their own sole benefit.

It was suggested that Lakewood could EASILY find financing for its mandatory 100 affordable housing units on Turnberry, and no sewer/water build-out expenses would be needed as seemed to be the case in the TIF.

**10. Citizens have repeatedly emailed and called school board members begging that D200:**

- Obtain a Tolling Agreement from Lakewood, or D200 should simply file suit and then 'negotiate',
- Because the Tif Statute strictly limits the maximum amount of money Lakewood TIF would be allowed to pay D200 to an amount which is a tiny

percentage of the cost levied against taxpayer citizens: Quantify the risk associated with novel PILOT agreements proposed by Lakewood in light of successful lawsuits by payers of PILOTs to obtain rebates and nullify these unorthodox agreements---often many years later and with interest attached.

- D200 should seek other similarly situated plaintiffs: other taxing bodies in McHenry County who will also lose millions of dollars of property taxes over the 35 year lifespan of the Lakewood TIF. Lakewood did not comply with TIF statute in notifying all concerned agencies of material change in vague original TIF plan. (City Manager Petersen stated at Lakewood meeting in which TIF was formed that she did not plan major residential development in TIF).
- Consider: There are other compelling legal theories which render Lakewood TIF invalid, other than those cited in the compliant published in D200 School Board meeting agenda packet.
- School Board members who vote on or influence the vote on this lawsuit should file personal conflict statements regarding any affiliations they might have with Lakewood, developers negotiating to participate in this TIF, or the TIF promotion industry. Conflicted individuals should recuse themselves from voting.

**11. Citizen sent Expected Return Analysis to D200 board members,** indicating a conservative expected LOSS OF MORE THAN \$30 MILLION to Woodstock D200 taxpayers if D200 obstructs litigation efforts. Citizen requested school board members construct their own expected return analysis with their own assumptions before voting.

**12. January 12 2016:** Regular board meeting: School board took no action on proposed litigation against improper Lakewood TIF. School board has ignored pleas to articulate rationale for 'negotiations' which cannot, by law, pay Woodstock D200 taxpayers anywhere near the break-even costs of subsidizing Lakewood's students.

**13. Next D200 school board meeting scheduled evening of January 26 2016.** Lakewood TIF was born the evening of January 27, 2015.