



Prelude to the Battle for the Bid – The Latin School Lincoln Park Land Grab

In 2008 a group of neighbors fought the privatization of a chunk of Lincoln Park. How did that policy and legal fight presage the fight over Chicago's bid for the 2016 Olympics?

Lincoln Park Democracy for America (DFA) was founded in 2007. This group of about 15 or so people had worked on a campaign for Alderman and wanted to stay together to provide a platform for progressive politics in the Near North Side of Chicago. In October of 2007 the main organizer, Tom Tresser, read about a secretive deal between the Chicago Park District and the exclusive and expensive [Latin School of Chicago](#).

The Latin School had struck a deal to design and build an artificial turf soccer field in Lincoln Park just north of the North Avenue entrance to the park. This field was to have lights, bleachers, an electronic score board, and pavers that the school could use in its own fund raising (where the donors' names would be engraved on the stones). This was a cash flow deal, the group later learned, in that the Latin School was already paying the Chicago Park District cash fees for its heavy use of the park because it has no ball fields or playgrounds of its own. The Latin School would front the cost of the construction and NOT continue to pay annual fees.

A group of neighbors met to discuss this deal at the same time the DFA chapter was meeting. The two groups combined and by the early Spring of 2007 they had formed the group that would become Protect Our Parks (POP) to investigate and fight the privatization of Lincoln Park. The organization continues to this day (see [protectourparks.org](#)) and sued the Chicago Park District over the siting of the Obama Presidential Center in Jackson Park.

The more the group learned about the deal, the worse it looked. The Latin School would get exclusive use of the field at no charge for most of the year, and in the evening a for-profit group would take over. The general public would have access to the field in December and January.

See the contract that was signed December 1, 2006 between the Latin School and the Chicago Park District at http://www.wesavedlincolnpark.org/the_story

POP hired a public interest lawyer and sued the City of Chicago, the Chicago Park District, and the Latin School and entered the Cook County Chancery Court in late April of 2008. POP quickly prevailed and the contract between the Latin School and the Park District was voided. The archive for that fight is online at <http://www.wesavedlincolnpark.org>.

As POP was gathering facts and plotting strategy to fight the Latin School Lincoln Park Land Grab in early 2008, they got a preview of the civic landscape when the upcoming Battle for The Bid would be staged.

As part of the organizing against the Latin School Lincoln Park Land Grab, a few POP members joined the Lincoln Park Advisory Council (<http://www.lpacchicago.org>) in 2008. The POP team wondered how this volunteer group, which acts as stewards of the park, had allowed the soccer field deal to proceed. They could find no record of the arguments made to the body, no record of discussion, no discussion of problems, or cautions that might have been expressed. What, POP wondered, was the purpose of such a body if a few acres of public land could be taken out of the park's inventory and gifted to a wealthy, private institution?

One strategy POP pursued was to get people who opposed the Latin School Land Grab to join the Advisory Council and then to vote to oppose the project.

The POP organizers called around in late 2007 and early 2008, trying to get a sense of civic Chicago's reaction to what seemed to be a plain taking of public assets. They quickly got the message. This was a "done deal" and it would be futile, even dangerous to poke into it. Here is what POP heard and learned:

- One of the members of the Park District Board of Commissioners was [Laird Koldyke](#), who served from 2005 through 2016. His father is [Martin Koldyke](#), a billionaire and founder of the Golden Apple Foundation. The Koldykes own a firm that's over 150 years old that holds investments in a vast array of businesses. Father and son had donated a [total of \\$134,555 to local politicians through 2008](#). Laird had two children attending the Latin School at the time. The Koldykes company, Frontenac, donated \$25,000 to Mayor Daley in 2006. These are some of the most powerful people in the city and the POP team was advised to not ruffle their feathers.
- The Friends of the Parks (<https://www.fotp.org>), OpenLands (<https://openlands.org>), and the Illinois chapter of the Environmental Defense Fund (<https://www.edf.org>) would have nothing to do with our protests or public actions. They would not advise POP, promote its work, or stand with them in public. POP was told that this was a "done deal" and it would be foolish and a waste of resources to challenge the contract.
- POP took its case to the people via petition passing in the community and via [two public forums](#). POP created graphics and signage, generated favorable press for this work, and trained themselves to be credible spokespeople for the public benefit. POP's work

generated a lot of public love and they raised over \$80,000 in contributions. They developed a web site and a 501 c 3 organization was created to sustain the work.

Protect Our Parks (POP) went into court on April 18, 2008. They were astonished to find 13 lawyers arrayed against them. POP had no friends or allies in the Chancery Court of Cook County that morning. Only veteran political reporter [Ben Joravsky](#) was present. He broadly smiled, saying, in his distinctive raspy voice, "Wow, you guys have balls of steel!"

Arrayed for the city were the Corporation Counsel of the City of Chicago and deputies, the Counsel to the Park District, a retired judge, and deputies; and two lawyers from the Latin School. Most surprising, the lead counsel for the city was [John Simon](#), partner at the powerful law firm of Jenner & Block who served for a time as President of the Chicago Bar Association!

One POP organizer asked "What is this guy, who probably is billing at \$2,000/hour, doing in this case? Didn't the city have enough lawyers on staff to handle this case?"

POP found the situation to be bewildering and intimidating. Mr. Simon started his argument to the judge, the Honorable Judge Dorothy Kinnaird, Chief of the Chancery Division, that the city of Chicago is the arbiter and enforcer of the Lakefront Protection Ordinance, under which POP was basing their request for cessation of the soccer field project. He basically claimed that the city had reviewed the situation and found no fault with itself. He requested that the judge rule that Protect Our Parks has no standing to pursue this action and therefore, to dismiss the case.

Mr. Simon was the embodiment of the Chicago Machine. Tall, white haired, resplendent in pink and white striped shirt with French cuffs and gleaming cuff links, he seemed to radiate authority and power. Representing POP was [Thomas Ramsdell](#) and the POP volunteer lawyers were Herb Caplan and Collen Blake. Herb and Colleen were leading the legal fight and they hired attorney Ramsdell.

Thankfully, Judge Kinnaird was not having it. She remarked something along these lines: "Without prejudging the case, if these people don't have standing to appear here, I don't know who would. Motion denied."

Judge Kinnaird ruled in favor of granting the POP request for a Temporary Restraining Order halting construction on the soccer field (work was about 50% completed) but allowed for the continued installation of the artificial turf field. POP appealed that portion of her ruling to the First District Appellate Court and got an overnight decision granting the request. What was unusual about the decision was that it was unanimous – all four judges concurring – three signatures were required but a fourth signature line had been manually placed on the front page of the ruling so the fourth judge could add his signature.

The Park District Board met on May 14, 2008, under Chair Gary Chico. In a secret executive session the Board voted to void the contract with the Latin School. They also voted to reimburse the Latin School for all the expenses incurred in construction to date. If they did NOT

do that, Mr. Chico said in open session, “No one would do business with the city of Chicago again!” The total cost of the soccer field ballooned to over \$2 million because being so close to the lake required an expensive drainage system. Since no marketing or pre-construction engineering studies were done, and because the facility was designed to serve essentially one client – this field became one of the most expensive fields ever constructed by the Park District.

Protect Our Parks settled the case and was awarded \$40,000 – about half of what had been spent prosecuting the case. POP did NOT get an official judicial ruling.

In the end, the Latin School became the main user of the field as the hourly rates set by the Park District were so high and because the field, located far from any public school, has no parking for buses close at hand. So, it was a very bittersweet outcome. You could say the people prosecuting this outrageous deal had to fund its own counsel AND, as taxpayers, were also footing the expenses of the city’s defense. The bad actor, the Latin School, lost in court but was still rewarded with repayment and access to the contested facility. (You can view and download the 2008 court filings and rulings at <http://www.wesavedlincolnpark.org/in-court.>)

It was only in February of 2009 when Chicago’s bid was unsealed and made public, that the park champions realized what a minefield they had wandered onto. **All** the proposed 2016 Olympic venues were to be in public parks. The main arena, holding 80,000 was to be built in Washington Park, which was designed by Frederick Law Olmsted, and was placed on the National Register of Historic Places in 2004. In fact, the official 2016 document, “Chicago 2016 Venue Plan” is subtitled “A Games In The Parks.” (Chicago 2016 Venue Plan – A Game in the Parks – in author’s possession)

If POP had gotten a judicial ruling voiding the contract with the Latin School it might have prohibited the future proposed transfers of public park land from the city to a private entity or – perhaps at least would require a review, a City Council vote or public referendum.

Had any of that happened – then Chicago’s bid for the 2016 Olympics would’ve been voided BEFORE it was made public!



Official Chicago 2016 plan for proposed venues.

The intense organizing inside Protect Our Parks offered a number of valuable lessons, all of which would be employed in the Battle for the Bid.

- Know your enemy, get the facts, gather the documents
- The city can be thuggish in pursuing its policy goals
- The city and its rulers have vast resources to draw on
- Express the issue clearly and dramatically – don't accept the enemy's frame or assumptions
- Use all means of media and technology creatively
- Combine online and on-the-ground tactics and tools
- Fundraise relentlessly
- Have a small but dedicated leadership team who can multi-task and act decisively and skillfully
- It is possible to win despite overwhelming odds against you

THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

PROTECT OUR PARKS, INC., ELIZABETH F. BYRNE, MARY BETH MEYER, and DAWN DODGE,

Plaintiffs,

vs.

LATIN SCHOOL OF CHICAGO, a private educational institution, CHICAGO PARK DISTRICT, a municipal corporation, GERY J. CHECO, President, Board of Commissioners, ROBERT J. PICKENS, Vice-President, Board of Commissioners, DR. MARGARET T. BURROUGHS, Commissioner, M. LAIRD KOLDYKE, Commissioner, REVEREND DANIEL MATOS-REAL, Commissioner, CINDY MITCHELL, Commissioner, ROUHY J. SHALABI, Commissioner, CITY OF CHICAGO, a municipal corporation, MARA S. GEORGES, Corporation Counsel, THE CHICAGO PLAN COMMISSION, ARNOLD L. RANDALL, Commissioner, DEPARTMENT OF PLANNING AND DEVELOPMENT, and RICHARD L. RODRIGUEZ, Commissioner, DEPARTMENT OF BUILDINGS.

Defendants.

VERIFIED COMPLAINT FOR DECLARATORY, INJUNCTIVE, AND OTHER EQUITABLE RELIEF

NOW COME Plaintiffs, PROTECT OUR PARKS, INC. ("POP"), ELIZABETH F. BYRNE, MARY BETH MEYER, and DAWN DODGE, and complaining of defendants, LATIN SCHOOL OF CHICAGO ("Latin"), a private educational institution, CHICAGO PARK DISTRICT ("CPD"), a municipal corporation, GERY J. CHECO, President, Board of Commissioners, ROBERT J. PICKENS, Vice-President, Board of Commissioners, DR.

save lincolnpark.org
&
ProtectOurParks.org =
**"NOT ONE MORE
BLADE OF GRASS"**

PROTECT OUR PARKS WANTS TO
**RESTORE
LINCOLN PARK
NOW!**



Daley Plaza, April 16, noon press conference where Protect Our Parks spokesperson Greta Lear and attorney Thomas Ramsdell announce out lawsuit against the Chicago Park District, the City of Chicago and the Latin School.

