



Commissioner William Waldack
c/o Village of Downers Grove
801 Burlington Ave
Downers Grove, IL 60515

VIA EMAIL

July 2, 2015

Dear Commissioner Waldack:

This letter responds to concerns you expressed at the June 16, 2015 Downers Grove Village Council Meeting about Citizen Advocacy Center's comments that had been made at the previous Council Meeting regarding a perceived, potential conflict of interest and the general level of public participation with respect to the Village's presentation of the Clyde Estates project. You also asked on whose behalf Citizen Advocacy Center (CAC) appeared at the meeting and about the research on which CAC drew conclusions. Your comments and questions provide an opportunity for me to discuss CAC's mission, as well as our purpose in attending the Council Meeting on June 9, 2015. CAC recognizes that, even though public officials invest substantial time and energy into making informed decisions in the best interest of the community, when issues and decisions are controversial not everyone will be satisfied with the result. The Clyde Estates project certainly seems to be a case in point.

General Information Regarding CAC

CAC was founded in 1994 as a nonpartisan, nonprofit community law office located in Elmhurst. The mission of CAC is to build democracy by strengthening the citizenry's capacities, resources, and institutions for self-governance. CAC community lawyers use civic tools to promote meaningful participation in the democratic process. This strategy includes traditional lawyering, community organizing, public policy research, coalition building, media outreach, leadership development, legal advocacy, civic education, and litigation. CAC has a long history in working with community members and public bodies. We advocate for government decision-making processes where government entities not only comply with minimum legal standards but become models of the democratic process through adopting practices that maximize government transparency, accountability, and accessibility.

Citizen Advocacy Center most often becomes involved with an issue when a concerned citizen, public official, or member of the media contacts our office. CAC answers questions about what the law is in a particular area, what government bodies are required to do to comply with the law, how an individual can participate to improve a government process, and how an individual can advocate for a position using legal and civic tools. Community lawyering assistance is based on *government process* issues. As such, the word "advocacy" in our name does not refer to advocacy for an individual's specific issue but rather *how* to engage in advocacy for one's cause.

When CAC identifies and seeks to address a systemic issue, we do so through a community lawyer or an intern who is supervised by a community lawyer. CAC has a highly regarded internship program that since 1994 has hosted over 200 students, the majority of them law students. The internship program offers a unique opportunity for students to gain hands-on experience in understanding how government operates.

CAC Issues of Concern Raised in Downers Grove

CAC was contacted by a Downers Grove resident who raised concerns about disclosures of potential conflicts of interest and about the significance of resident input for the Clyde Estates Project. After reviewing available information and documents with respect to the questions brought to our attention, CAC identified some ways in which we believe democratic practices could be improved.

With respect to the conflict of interest issue, CAC conducted research, reviewed publicly available materials, materials made available through the FOIA process, and spoke with concerned residents. CAC concluded that a conflict of interest was not present. However, considering the controversial nature of the project it was understandable how there could be a *perceived* conflict of interest among the general public. CAC identified specific procedures that could be adopted to increase standards. CAC recognizes that it is your viewpoint that clear disclosures were made to the Village Staff and members of the Council members during the planning phase. CAC, however, addressed the issue of what processes are in place to ensure that the disclosures are also clear to members of the public seeking to educate themselves on proposed projects. Working toward our mission to address systemic issues of concern related to the democratic process, CAC commented on how to address perceived, potential conflicts of interest at the June 9, 2015 meeting. While the comments were in reference to the Clyde Estate project, the adoption of higher standards would apply to all proposed projects in Downers Grove to avoid similar concerns in the future.

With respect to the public engagement piece, after speaking with concerned citizens about the meetings that took place, reviewing documents, and having a CAC community lawyer observe the Council's interaction and response to the public, CAC concluded that while the process may have been quite extensive and certainly complied with the law, still more could have been done to engage the citizens and give them a voice in the project. As such, the public comment made by a CAC community lawyer regarding a "no" vote was not a commentary on the substantive project but rather a commentary that the Village Council should withhold approving the project until a higher standard of public engagement had been met. While CAC recognizes that not everyone could be completely satisfied with the outcome of such a controversial project, we advocate for the most transparent, accessible, and interactive process that is possible.

I welcome this opportunity to discuss how Downers Grove may increase democratic protocols to become a model of government transparency, accountability, and accessibility. If you think that an additional discussion could be helpful, I would be happy to meet with you.

Please accept my personal invitation to you and all the Commissioners to join us on July 28, at 7 p.m. at the CAC office located at 182 N. York Street in Elmhurst for Intern Democracy Night, where current students will be sharing their internship experiences.

Sincerely,



Maryam Judar
Executive Director/Community Lawyer

cc: Mayor Martin Tully, Commissioner Bob Barnett, Commissioner David Olsen, Commissioner Greg Hosé, Commissioner Gina Vattimo, Commissioner Bill White