**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO**
**AS THE DULY CONSTITUTED ELECTORAL BOARD**

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| Objections of: CHARLES J. BABCOCK and BRIGITTE BABCOCK | ) |
| To the Petition for Submission of Question of Public Policy of: | ) No. 02-EB-QPP-01 |
| EAST LAKE VIEW NEIGHBORS AND THE PROPONENTS OF PETITIONS FOR THREE REFERENDA IN VARIOUS PRECINCTS IN THE 44TH AND 46TH WARDS | ) |

## FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Theresa M. Petrone and Richard A. Cowen, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of CHARLES J. BABCOCK and BRIGITTE BABCOCK ("Objectors") to the petition for submission of question of public policy ("Petition") of EAST LAKE VIEW NEIGHBORS AND THE PROPONENTS OF PETITIONS FOR THREE REFERENDA IN VARIOUS PRECINCTS IN THE 44TH AND 46TH WARDS ("Petitioners"), having convened on September 3, 2002, at 9:30 a.m., in Room 800, 69 West Washington Street, Chicago, Illinois; and having heard and determined the Objections to the Nomination Papers in the above-entitled matter finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

2. The said Electoral board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Petitioners, by personal service and by fax service and attorneys for Objectors and the Petitioners waived the right to all other means of service.

4. A public hearing held on these Objections commenced on September 3, 2002 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner JACQUELINE A. WALKER for further hearings and proceedings.

6. The Objector and the Petitioners were directed by the Electoral Board to appear before the Hearing Examiner immediately following the conclusion of the Electoral Board's initial public hearing. The following persons, among others, were present at such hearing: the Objectors, CHARLES J. BABCOCK and BRIGITTE BABCOCK, by and through their attorneys Mathias Delort, Michael J. Kasper and Lawrence G. Rubin; and the Petitioners, EAST LAKE VIEW NEIGHBORS, AND THE PROPONENTS OF PETITIONS FOR THREE REFERENDA IN VARIOUS PRECINCTS IN THE 44TH AND 46TH WARDS, by and through their attorney Michael E. Lavelle.

7. By agreement of the Objectors and Petitioners, the Hearing Examiner ordered that an examination of the registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Examiner directed all parties to appear and be present, either personally and/or by their authorized representatives during the record examination.

9. The Petitioners or their duly authorized representatives were present during the examination of the registration records.

10. The Objectors or their duly authorized representatives were present during the examination of the registration records.

11. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records examination is contained in the Electoral Board's file in this case and is available for inspection upon request of a party.

12. Neither the Objectors nor the Petitioners have contested the results of the records examination nor did either side present additional evidence or argument.

13. The Electoral Board has considered all evidence and arguments tendered by the parties.

14. The Electoral Board finds that:

    a. The Objectors and Petitioners agree that minimum number of valid signatures required by law for placement on the ballot for the subject question of public policy even under the most liberal interpretation of the statutes is 453;

b. The number of purportedly valid signatures appearing on the Petition filed by the Petitioner total 1,536;

c. The number of signatures deemed invalid because of objections sustained total 1,109;

d. The remaining number of signatures deemed valid total 427.

15. The Electoral Board finds that the number of valid signatures appearing on the Petition following completion of the records examination is below the minimum number of valid signatures required by law, even under the most liberal interpretation of the statutes to place the subject question of public policy upon the official ballot.

16. The Electoral Board finds, therefore, that paragraphs 5-10 and 19-20 of the Objectors' Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination. The Electoral Board makes no further findings as to the remaining objections because the Electoral Board's findings as to paragraphs 5-10 and 19-20 are dispositive of the case.

17. For the reasons stated above, the Electoral Board finds that the Petition is not valid.

IT IS THEREFORE ORDERED that the Objections of CHARLES J. BABCOCK and BRIGITTE BABCOCK to the Petition submitted by EAST LAKE VIEW NEIGHBORS, AND THE PROPONENTS OF PETITIONS FOR THREE REFERENDA IN VARIOUS PRECINCTS IN THE 44TH AND 46TH WARDS are hereby SUSTAINED and said Petition is hereby declared INVALID and the question(s) of public policy submitted therein SHALL NOT be printed on the official ballot for the General Election to be held on November 5, 2002.

Dated: Chicago, Illinois, this 17th day of September, 2002.

Langdon D. Neal, Chairman

Theresa M. Petrone, Commissioner

Richard A. Cowen, Commissioner

**NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.**

See Reverse for Instructions

# PETITION FOR REFEREND

**To: The Board of Election Com oners for the City of Chicago**

We, the undersigned registered voters residing within the territory of the City of Chicago, Illinois described below reinafter referred to as the "Territory"), hereby petition pursuant to law that the following advisory questions of public policy be ed on the ballot and submitted to the voters within the Territory for their approval or disapproval at the General Election to be held on the 5th day of November, 2002.

**Precincts involved:** all or parts of the following precincts are involved; **Ward 44,** Precincts 9, 11, 13, 18, 26, 28, 31, 36 and 38; **Ward 46,** 5 and 37;

**Territory commonly described:** Starting at the W. Roscoe Ave. and N. Lakewood Ave. intersection and then North to W. Byron St. then East on W. Byron St. (extended across the cemeteries) to W. Sheridan Rd. and East on W. Sheridan Rd. to N. Broadway then South on N. Broadway to N. Halsted St. and South on N. Halsted St. to W. Roscoe Ave., then West on W. Roscoe Ave. to the intersection of N. Lakewood Ave.

## REFERENDA

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| Shall the Wrigley Field management be given, for free, the two parcels of real estate currently owned by the City of Chicago located next to Wrigley Field (the former railroad property and Seminary Avenue)? | Yes<br>No | [ ]<br>[ ] |
| Shall the Wrigley Field management be permitted to acquire the two parcels of City of Chicago owned real estate located next to Wrigley Field (the former railroad property and Seminary Avenue) without paying the highest price obtainable through competitive bidding for each parcel? | Yes<br>No | [ ]<br>[ ] |
| Shall the Wrigley Field management be permitted to increase the number of night games at Wrigley Field over the 18 they presently have without first resolving the issues of traffic congestion, inadequate parking and public urination to the satisfaction of the East Lake View Neighbors community organization? | Yes<br>No | [ ]<br>[ ] |