

# **The Story**

**(of the park where Pine Meadow Golf Course once was)**

Pine Meadow is a story of how about 300 everyday citizens struggled for over six years to right a wrong their political leaders had made.

Pine Meadow was the third open space in Martinez that Mayor Schroder and the City Council had voted to convert from open space to development. That had to stop.

It was not fair to the citizens of Martinez that these important lands that were a central part of their quality of life could be converted by the City Council at the behest of developers. These lands, whether publicly or privately owned open space, should not be converted to developers' wants without at least some offsetting public benefit.

The 26-acre Pine Meadow site had been designated open space over 40 years ago when the owner asked to be annexed to our city. It was also the last site in Martinez available for a significant city park. And our citizens had not had a new city park in over 20 years with population predicted to grow significantly in the future.

Our political leaders did not agree. So the public decided to fight them.

A group of concerned citizens formed Friends of Pine Meadow to stand up to the Mayor and City Council. After attending numerous city meetings, presenting piles of information and a large amount of public input, the Council voted to allow the conversion of Pine Meadow from open space to housing.

Citizens quickly mounted a referendum drive. In less than 28 days, they collected over 2858 signatures of Martinez voters, a massive effort. They were successful, and the referendum stopped the City Council approval from going forward.

Soon thereafter, the developer and the owners decided to sue those people who were working to keep the open space designation for Pine Meadow. Their lawsuit named about seven citizens, including two of the primary citizens who opposed them, Tim Platt and Mark Thomson.

The citizen group was able to hurriedly enlist the help of two lawyers who were critical to facing this lawsuit and several other legal roadblocks that were subsequently thrown at them, Stu Flashman and Fred Woocher. Working together with them, we succeeded in foiling all the legal issues the City Council and the developer/owners used to try to stop us. Martinez citizens owe a heavy debt of gratitude to both Stu and Fred.

The developer/owner suit was quickly labeled a SLAPP suit (Strategic Lawsuit Against Public Participation) designed to scare citizens and stop public protest. The citizens prevailed and the court ruled against the developer/owners.

The developer/owners appealed the court's decision and lost again on the appeal. And that court decision became a statewide precedent for future such legal actions.

The Mayor and City Council then proceeded, in a late-night meeting that lasted till well after 1:00 am, to *decide that in 1973 and for the following 40+ years it was just a mistake that Pine Meadow had been designated open space*. They decided that Pine Meadow should always have been designated as housing.

This decision flew in the face of the city Staff Report and astounded the public. With great trepidation, Friends of Pine Meadow and Tim Platt decided to sue the City Council to overturn their outrageous decision.

This was called the "rewrite history lawsuit" and proceeded for two more years from when it was initiated on 4/17/17.

It had become apparent that some permanent protection was needed to protect open space and parkland throughout Martinez

from being converted to development, as the City Council had been voting to do.

For months, citizens had been working on an initiative to provide that protection and launched the Martinez Open Space and Park Protection Initiative at this time also. A new group, Martinez Open Space and Park Protection Committee, was formed and started the public drive to get the Initiative on the ballot.

The Initiative was simple. It allowed the Mayor and City Council to continue to vote to convert open space and parks to housing or other development, but it required that any such City Council vote would have to be approved by a vote of Martinez citizens.

The City Council responded in a number of ways. One of those ways was to use \$100,000 of public money to sue the citizens who had signed the Initiative, Tim Platt, Mark Thomson and Kerry Kilmer. The suit was designed to keep the Initiative from being put on the ballot for a public vote.

The Initiative was qualified for the ballot after we collected over 5500 signatures on our Initiative petition, well in excess of the 2413 Martinez voters' signatures required. And the court ruled in our favor on most of the Council's lawsuit issues. The court then ruled that the Mayor and City Council must put the Initiative on the ballot, about a week before the deadline!

The Mayor and City Council also had staff develop a competing initiative that was designed to confuse the public, and several of them campaigned for that version.

A heated and difficult ballot campaign ensued.

One very fortunate piece of help for us was the editorial in the Contra Costa Times that excoriated the Mayor's and City Council's actions and strongly supported our Initiative, which had become Measure I on the ballot.

Measure I-Martinez Open Space and Park Protection Initiative was approved by Martinez voters on 6/22/18 and became City law. The power of a small group of dedicated citizens was shown once again.

Not long thereafter on 2/8/19, the court issued the Tentative Ruling in the “rewrite history lawsuit”. (A tentative ruling is often issued by the court describing how the court will probably decide the case prior to the hearing on the decision.)

The ruling stated that no reasonable body would have made the decision the City Council did with the information presented to them. That meant that the Mayor’s and City Council’s vote to convert Pine Meadow from open space to housing was once again probably going to be overturned.

And Measure I meant that any future vote by the Council to convert Pine Meadow from open space to housing would have to be approved by Martinez voters.

It was at this point that the Mayor and City Council and the developer/owner decided to go into mediation with the Pine Meadow and Measure I principal proponents, Tim Platt, Mark Thomson and Kerry Kilmer, to try to settle all the issues revolving around Pine Meadow and Measure I.

The mediation resulted in an agreement wherein the developer/owner would donate approximately 9 acres of the land to the City for a new park and pay a million dollars to the City to start development of that park. The developer would be able to convert the remaining land to housing and build 65 units rather than the 92 originally proposed. All other outstanding issues of the various lawsuits were also settled.

The former Mayor and City Council became very supportive of the park project once the Agreement was put in place. They acted quickly and effectively to institute many of the steps to get the park started, as did the developer/owner.

The support of our current Mayor and City Council has been exemplary with efforts being made to deliver a first-class park to Martinez citizens, a park we can all be proud of.

Certain issues did subsequently arise that have delayed the park project. But the park is now taking shape, literally, as we speak.

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The work of these 300 citizens has led us to this point. Much more has been done that is not in the spotlight.

For instance, we created a multi-platform communications strategy that reached thousands of Martinez citizens. And boots-on-the-ground efforts reached residents at their doorsteps.

We garnered important endorsements, including the Sierra Club, Thousand Friends of Martinez, Mt. Diablo Audubon Society and United Steelworkers Local 5.

We raised tens of thousands of dollars from supportive citizens and groups to fund all this activity.

And we continued to attend public meetings, show up at great community events and speak out to support our positions.

There is so much more to tell and so many individuals to acknowledge. *There are so many wonderful stories of brilliance and hard work and chance and diligence and collaboration and teamwork and courage.*

These years of effort by about 300 citizens has resulted in the park that we are talking about naming today—the first new Martinez park in over twenty years.

I believe that, in some way, the naming of the park should embody and celebrate the tremendous efforts that these citizens made to

overcome government decisions and roadblocks thrown in the way of an equitable solution for all parties, including the public.

These words deserve repeating: “Pine Meadow is a story of how about 300 everyday citizens struggled for over six years to make this park a reality. *It is a tribute to the democratic process that citizens can stand up for what is right. And that the government can be made to listen to that and correct its mistakes. This is an especially important event in these times when our very democracy is under assault.*

I do not know what naming wording would best embody the struggle and the great end result. But the park naming should recognize that huge effort and that new park. Martinez citizens now and in the future need to understand the importance of what happened to make this park a reality. *It will give them pride in our democracy and hope for the future.*

I believe the name *Three Hundred Park* (or 300 Park or The Three Hundred Park or The 300 Park) may be worth considering. It honors those who worked so hard and effectively in all facets of our successful effort, from putting up campaign signs to showing up at council meetings to raising money and all else that needed to be done. The name “Three Hundred Park” may just entice the public to learn what the park name represents and become such volunteers themselves..”

Tim Platt  
8/20/23