



Since 2004 CORE and Oxnard community activist have been fight to abolish the two Civil Gang Injunctions that currently plague our community. The initial community activism was organic, the homies, the mothers, the girl friends and others affected by the gang injunction began talking to us, seeking out advice and help as the cops began to move on them. We mobilized as best we could, fought hard and in the end we were defeated. We lost the initial battle; it now appears that we may win the war.

It is now the end of 2018 and we are very close in finally defeating this unconstitutional and repressive policing “tools” as the OPD like to describe the two injunctions. Accordingly I have put together a comprehensive list of anti-injunction articles that I have written recently. Additionally I have added the articles and document that I have written in our corollary and organic community efforts to occupy and secure on a permanent basis one of the many abandoned buildings that the city has in it property portfolio. The document are, as best I could organize, provided to the reader in chronological order. This system of article review provides the reader a clear timeline of events and our CORE and community efforts. In the future I will incorporate other important articles from CORE and community activist to expand the picture of community activism in this historical fight to defeat and abolish the unconstitutional Oxnard Civil “Gang” Injunctions. There may be some duplication of material, please indulge me, my eyes are getting weaker as my quest for social justice grows.

Adelante,  
Armando Vazquez

October 4, 2108

1		VENTURA SUPERIOR COURT <b>FILED</b>
2		<b>MAY 19 2008</b>
3		MICHAEL D. PLANET Executive Officer and Clerk BY: _____ Deputy
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8	SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA	
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10	THE PEOPLE OF THE STATE OF CALIFORNIA, <i>ex rel.</i> Gregory D. Totten, as the District Attorney for the County of Ventura,	CASE NO. CIV226032
11	Plaintiff,	SECOND AMENDED JUDGMENT FOR PERMANENT INJUNCTION
12	vs.	
13		
14	COLONIA CHIQUES, an Unincorporated Association; and DOES 1 through 500, Inclusive,	
15	Defendants.	
16		



## **10 things all Oxnard residents should know about Civil “gang” injunctions**

**By, Armando Vazquez**

**May 20, 2004**

1. Gang injunctions are the modern manifestation of the civil nuisance laws: Mass social control of "undesirables" have existed in America since the end of the Civil War, circa 1866. It seems that the good white people of a community did not know what to do with the newly liberated black slaves. More than one hundred years later, the nuisance laws then gave birth to the civil "gang" injunction in the early 1990's. The city of Chicago passed a loitering law, to control unruly drunken baseball mobs at Wrigley Field. The Supreme Court would eventually rule this Wrigley Field mob control decision to be unconstitutional, but the genie was let out of the bottle. Since the late 1990's and into the early 2000's cities throughout the United States have now passed civil injunctions against gangs; most have now been designed to pass constitutional muster. It is safe to say that with the makeup of the ultra-conservative Supreme Court the constitutionality of the civil "gang" injunction will be upheld. It appears that civil injunctions as a "policing tool for mass control" are here to stay, despite the fact that civil injunctions, in most instances have proven to be a dismal failure in reducing gang related crime. By the end of 2010 in the state of California had imposed hundreds of Civil “Gang” Injunctions and enjoined thousands of predominately youth of color.

Fast forward to 2015 and the according to Sean Garcia-Leys, an attorney with the Urban Peace Institute, "The ground has shifted considerably underneath this whole process" and radically shift away from gang injunctions enforcement. The question is why? In a lawsuit filed by the ACLU in 2016, the Civil Gang injunctions and the way that California cities and counties enforce the injunction are unconstitutional. In 2017 Chief U.S. District Judge Virginia A. Phillips ruled that the city of Los Angeles, the city with the most injunction in the nation had violated the civil rights of accused gang members who were targeted without being given a chance to challenge their gang affiliation status in court. After Judge Phillip's decision, in rapid succession various counties in the state of California decided to review, modify or outright suspend their gang injunction polices.

In the city of Oxnard the Oxnard Police Department decided to stop enforcing injunctions stipulations against 368 suspected gang members in late 2017 or early 2018. The decision to suspend gang injunction enforcement has been a tightly kept secret by the OPD. Later this July, 2018 the OPD will report to the City Council regarding constitutional concerns and make recommended amendments to the current injunction polices that are constitutionally suspect. Which simply put means that the Oxnard Police Department and the Ventura County District Attorney have since 2005 illegally enjoined hundreds of Latino and Black youth throughout the greater Oxnard area and violated their constitutional due process right. There is something terribly evil and wrong with this horrifically flawed legal process that sends gang youth to jail for injunction violations and does absolutely nothing punitive to police departments and district attorneys through California that have violated the constitutional due process rights of thousands of youth of color for over three decades.

2. Civil "Gang" Injunctions and the lack of Police Accountability: Wendy Thomas Russell, a reporter for the Long Beach Press Telegram, reports in a 2001 article, "It is difficult to assess the effectiveness and the cost efficiency of the injunction, because of lack of research, limited accountability, no agreed upon measure of success and no standardized enforcement among police. Also uncertain is the true cost of the Long Beach gang injunction". Incredibly, the city of Long Beach has instituted four gang injunctions since 1998, and since that time the Long Beach Police Department does not have a data base to quantify or qualify the impact of the injunctions efficacy with the gang related crime they are attempting to police and control. This is a glaring revelation; the Long Beach Police cannot back up their claim that the injunctions is successful as they do not data to support this claim. According to Alejandro Alfonso, PhD candidate in the Department of Geography at the University of Southern California, a renowned expert on Civil Gang Injunctions states, " There has never really been a thorough study on gang injunctions, ever, except for a couple of small studies, which really don't give accurate results".

3. The Safety Zone: The Oxnard Police Department is becoming the master of double talk and spin. The proposed injunction area will cover approximately 25 to 30 percent of the city of Oxnard. The injunction's area, the police argue, is where most of the crime committed by the targeted gang. The Committee on Raza Rights, has correctly questioned what kind of crime is being talked about? Are these crimes minor traffic violations, jaywalking, truancy, or mere police stops? Or are these serious crimes such, as assault, homicide, robbery and burglary? How

did the Ventura County District Attorney and the Oxnard Police Department come up with this geographical injunction area? The Oxnard "Safety Zone", area is one of the largest areas ever covered by Civil Injunction, anywhere in the nation.

Alejandro Alonso states," The Gang Injunctions is supposed to offer long-term effects, community-wide effects, which I have not seen a gang injunction do." One of the areas that the "Safety Zone" will cover is the entire downtown redevelopment area; is this how the Oxnard City Council and the Oxnard Police Department will insure and protect the multi-million dollar investment and projects currently being undertaken in the area? The downtown area is not a high crime area; however, it is a strategic area of economic revitalization and development. Is this civil injunction going after perpetrators of crime or protecting multi-million dollar investments, or both?

4. The Juan Doe factor: The District Attorney filed the following legal plea to Superior Court, the title of the plea is "ALLOWING SERVICE ON A DESIGNATED MEMBER IS NECESSARY AND PROPER". This plea states in part, "Pursuant to Code of Civil Procedure section 416.40©, this Court should allow the People to serve the defendant Gang by servicing a designated gang member(s), as authorized by the Corporation Code section 24007. COCH cannot be served by any traditional methods of effecting service on the unincorporated association because COCH failed to register with the Secretary of State or the City of Oxnard, has no officers or general manager, and does not have a fixed street address. In addition, the People should be excused from the requirement to mail a copy of the documents served to the defendant COCH because no address can be found after due diligence and reasonable inquiry. The People have been unable to locate a registered agent, or any mailing address or "place of business" for COCH. The People's inability to effect service on COCH by any method other than by service on member is a result of COCH's own failure to designate an agent for service process, to file a "dba", forms, or take any other proper or official action that should be taken by an entity doing business in the County of Ventura".

The District Attorney and the Oxnard Police Department realize that they must have public support in order for the civil injunction to be granted by the Superior Court; consequently, the public relations spin and distortion is massive. The Oxnard Police Department has stated publicly that they have identified over 1000 COCH gang members in the effected "Safety Zone". The Oxnard Police Department has publicly stated that there are: "500 identified COCH gang members", that are responsible for most of the violent and serious crime perpetrated in the "Safety Zone". The police and the DA have produced a very distorted, graphic, and violent power point presentation, on COCH, that they are currently marketing throughout the city in an attempt to garner support from the community. This PR campaign currently being conducted by the OPD police and the Ventura County DA is impressive, misleading and dangerous. By making a COCH a corporation, they satisfy the "surreal" legal requirement of serving the entire corporation by serving the required legal documents on only one of the 500 purportedly identified COCH gang members. We are aware that approximately 35 COCH members have already been served; consequently, it is safe to say that by May 24, 2004, the date when the judge at Superior Court will grant the preliminary, there will be some 465 "John Does" out there that have yet to be, named publicly, identified and served.

5. Police, Politics and Perception: Alejandro Alonzo state, " I view the injunction as more of a political tool that benefits those who are behind the injunction—they would be the council members, the attorneys, and those who push it; because it is always easy, and it is always a good thing to be hard on crime, especially if you're a politician. In that respect I'm critical of the gang injunction, because I don't see it as other than a political tool. I don't see the long-term bigger picture problems being addressed with a gang injunction. It's really just scratching at the surface." If indeed perception is everything, then the Oxnard Police Department and the City Council are right on target. They simply have to keep the public relation spin completely out of control with distortion of the truth, until they have convinced and misled the citizenry of Oxnard, and they will have won the necessary support to institute the civil injunction "tool" of policing to eradicate the violence and illegal activities of gangs in our city.

In fact the civil injunction as a policing tool is lazy and dangerous policing. In the past two years, the city of Oxnard has had 28 killings. The Oxnard Police Department has solved only four of those homicides. This is a horrible failure rate! Where is the public outrage? Where is the accountability for the failed detective work on the part of the Oxnard Police Department? The Oxnard Police Department and the Ventura County District Attorney have proclaimed that the city of Oxnard has a gang problem that is out of control. Traditional policing has not worked, not the regular gang sweeps, not the weed and seed program, not the police storefronts in the high crime incident areas of Oxnard, not the tagging and identification of hundreds, if not thousands of local youth as gang members, not the truancy program, nor all of the rest of the heavy-handed "traditional" methods that the Oxnard Police Department currently deploy. So today the newest "police tool" is the Civil Injunction: a radical policing venture that will do nothing to solve the past violent crimes that have been committed in the recent past in Oxnard. So what the OPD wants from the good citizens of Oxnard is to forget and forgive all of the past inept police and detective work regarding unsolved major and violent crimes and concurrently provide them with the trust, support and mandate to institute the Civil Injunction. The Oxnard police get everything that they want in this deal; the citizens of Oxnard continued to receive a lack of accountability and ineptitude from the police.

6. The Blue Curtain of Secrecy and Public Deception: Police Chief Art Lopez is a product of the Los Angeles Police Department; he was around when the LAPD deployed the now discredited policing tools, such as the infamous "LAPD choke hold", the armored battering ram vehicle, the street barricades, the special secretive major crime unit, the secret files data base kept on community activists, and of course the civil injunction. These tools that the LAPD used for many years on the citizens of Los Angeles, are slowly finding their way into the city of Oxnard.

The fact is the idea of a civil injunction as a tool to fight the "gang problem" in Oxnard was an accepted concept imported from LAPD the day we hired Lopez as the Police Chief of Oxnard. The secretive way that major policing strategies are developed in Oxnard are similar to the policing strategies used in the Los Angeles Police Department, so it should come as no surprise that when OPD announces major policing strategies that will affect all of Oxnard, the citizens are the last to know.

7. Gerrymandering, Gentrification and Greed: Invariably, where you find civil injunctions, you find financial interest. According to Alejandro Alonzo who states: "If you map out every gang injunction in LA County, you will observe a pattern of 'privileged adjacency'... In Los Angeles, every gang injunction seemed to target a gang that was located in an area that has more affluent concerns. There was a gang in Hollywood called the Mara Salvatrucha gang--they were the closest gang to where all the money was being invested into Hollywood and the redevelopment of Hollywood Blvd". Sound familiar, Oxnard? In Oxnard, the civil injunction comes on the heels of the fast tracking of the downtown movie and parking complex, not to mention other financial developments unbeknownst to the citizenry of Oxnard. If you take a look at the "safety zone" map, the downtown business area is included. Our question is why is the downtown included, when there is little to no crime in this area, other than the occasional tagging and graffiti that is always associated with areas that are abandoned and deserted much like the downtown area is at the close of business and on weekends?

We believe that the civil injunction is a precursor to the things to come for the downtown area, first the area gets tagged as a "safety zone": code for more policing and a creating a false sense of a safe business climate; secondly the price of property in the "safety zone" will invariably go up, forcing small "mom and pop" businesses to shut down due to high rent and leasing costs. Finally, in come the Starbucks, McDonalds, and the national franchises and high prices.

8. Recent History of Local Civil Gang Injunctions: One of the writers has had the misfortune of having lived in, experienced and witnessed the full destructive effects of civil gang injunctions in four locations in the San Fernando Valley. The first civil injunction witnessed took place in the city of San Fernando; the civil gang injunction covered a very small park, named Las Palmas in the San Fer barrio. The second one witnessed occurred in the public housing project of Pacoima and Hubert H. Humphrey Park, against the Pacas Flats gang. The third civil gang injunction observed was imposed on the Blythe Street Gang in the Van Nuys barrio of Blythe Street. The fourth civil injunction witnessed occurred in the barrio of Langdon Street in the city of Sepulveda. According to all available records, testimony and first hand observation, the four aforementioned areas where civil injunctions were instituted, gang related crimes immediately went up and spread out beyond the gang injunction area; property value was decimated, and the quality of life and perceptions of safety markedly deteriorated.

With respect to the dismal failure of the Civil Gang Injunction on the Blythe Street Gang, the ACLU, states in part, in their scathing conclusion of the horrific failure of the Blythe Street Civil Gang Injunction, the following: "The Blythe Street gang injunction failed to achieve its stated objective—immediate reduction in violent crime and drug trafficking and an immediate increase in community safety. This failure can be clearly observed at both micro and macro levels. The failure fundamentally calls into question the appropriateness and effectiveness of gang injunctions. The abridgement of some fundamental civil liberties have continually been justified by the supposed certainty of reduction in violent crime and enhancement of public safety. This has proven false".



9. Statistical Game: The Oxnard Police Department will have us believe that the lawlessness especially the more egregious and violent crime is out of control in the "Safety Zone". A question to the OPD is where were they when this long pattern and history of violence was taking place? This climate of purported gang lawlessness was not created in a vacuum. Police Chief Lopez has made the claim, in a public forum that Oxnard is one of the safest cities, for its size, in the United States. He claims that his police department, with its innovative policing programs, has been highly effective in reducing juvenile delinquency and crime. The Police Chief plays the statistical mind game in the community, using erroneous crime numbers one day to scare the community and using another set of misleading crime statistics to assure the local political and financial leadership of Oxnard that his department has crime under control in the next instance. The Police Chief cannot have it both ways. Either he and his department are doing a good job fighting crime, deploying traditional law enforcement methods and thus have absolutely no logical need for the civil gang injunction, or his department is doing a poor job, misleading the public, whereby they must be held accountable (possibly fired!), and, in which case the civil injunction is only the latest of a series of smoke screens tactics to cover up the ineptitude of the crime fighting the police department is executing in the city of Oxnard.

10. "It is only a tool" What is next for the city of Oxnard? The OPD with its well-orchestrated spin has called the civil gang injunction, one of many tools in the "tool box" of the OPD. The fact is that civil gang injunctions as witnessed by the other civil injunctions throughout California provide very mixed reviews with respect to their effectiveness in curbing gang crime, or as "effective policing tools". Experts on the effectiveness of Civil Gang Injunctions call this draconian police practice ill- advised, and at best, a "band-aid approach to eradicating gang crime and violence in our communities." So why do police departments throughout the Greater California area continue to seek court-ordered Civil Injunctions?

The answer according to Alejandro Alfonso and other experts in gangs and civil injunctions is non- police interventions, engaging the gang member directly in positive dialogue and programs. Alfonso, states however, this community engagement won't happen because, "you don't get a lot of law enforcement support to get behind these community- based activities, such as cease fires, because that's not their approach toward gang crime". Our contention is that police departments that use Civil Injunctions to combat gang crime are lazy, inept, dangerous and highly selective in their deployment of this draconian "big net" that almost universally catches the poor, minority and powerless members of the communities. It seems that police in the affected communities can neither control nor solve crime using their very formidable traditional police resources and strategies. So, with the assistance for the DA and the courts, the police resort to wide sweeping police actions that threaten the constitutional rights and liberties of the innocent powerless and vulnerable.

What is next? The city of Pt. Hueneme is on record as stating that the city is looking seriously into instituting civil injunctions against the gangs that reside in the city. So civil injunctions appear to be the newest and latest tool that the local police departments will likely use in their efforts to combat gang crime. In conclusion we would like to leave with the conclusion reached by the ACLU in their exhaustive and scathing report dated May 1997: "Blythe Street has come

to be symbolic—both in Southern California and nationwide—of novel, aggressive use of the courts to sharply curtail the activities of presumed criminals and to markedly enhance the safety and security of the innocent public. The finding and observations presented in this report show that this confidence in and promotion of the gang injunctions is unfortunately based on a series of false premises that have engendered a series of ultimately false promises".

It is our duty to fight against the ongoing evil, racist and hypocritical war on crime and all of its ill-conceived manifestations that have been level on the communities of color throughout this nation. The Civil Gang Injunctions are one of the most draconian and unconstitutional weapons that have ever been devised by the government to keep large segments of communities of color in continuous, premeditated and perpetual law enforcement control and supervision. The United States has systemically profiled and enslaved more people of color in jail, probation, parole and law enforcement supervision than any other country in the world. It is a national shame and disgrace. The Civil Gang Injunctions are premeditated, illegally-conceived and some of the most punitive policing tools ever deployed in communities of color throughout this nation. After more than three decades of Civil Gang Injunction deployment police departments throughout the United States, that includes Oxnard OPD, are under scathing judicial admonishment and legal reversals. The racist 40 year war on crime in the United States has squandered billions of tax dollars, and incarcerates more humans than any other country in the world. And in this current Trumpian country gone completely crazy, the nation's police departments, including Oxnard, have little to nothing in the way of qualitative or quantitative statistical documentation to scientifically substantiate or validate that the civil gang injunction anywhere in the United States have been efficacious, constitutional law enforcement tools. Why?





## Which Way Oxnard?

BY: ARMANDO VAZQUEZ

Sometime in 2015

The Oxnard Police Department, like some many police departments throughout the nation, is in acute and quite apparent institutional paralysis.

For the past thirty years, if not longer, the entire culture of every police department of the United States can be defined as one of being at war with its own citizenry.

The nation's police departments have declared war on drugs, on gangs, on youth, on minorities, on immigrants, on guys, the poor, on terrorist (real or imagined); they have declared war and waged war against all of us in America.

Oxnard is no exception; rather it is a twisted, brazen and deadly violent example of the way policing is done in this nation

So it comes as no surprise that the Oxnard PD is infected with the same sickness that afflicts so many other police departments throughout this nation.

But a sick Oxnard Police Department cannot begin to heal itself if it does not admit that it has a major illness.

Of course having the OPD admit that it is sick is impossible, they can never be wrong, they are infallible, just ask, the city council, the OPD leadership, all the citizens of Oxnard that rally to their support.

### **A Community Gathering in Oxnard**

At a recent community gathering, the newly hired city manager, the police chief, and the mayor all responded that a community police review board was unnecessary.

Yes they conceded that they had a bit of work to do, but internally they could smooth out the rough patches and move forward. These three high ranking city officials were in classical denial

and disingenuous mode, out of touch with the fear and loathing that so many of the Oxnard citizenry have for the OPD.

In the wake of the latest tragic killing of Meagan Hockaday, by an OPD cop it is time for the community to get its collective head out of the sand and scream “in the name of justice and love stop the killings”, and then collectively demand that OPD begin turning oversight responsibilities to the community.

### **Reforms That Need to be Made**

The cops cannot reform themselves, no more that the fox can stop killing chicken, it is impossible. So here is what we The Black and Brown Youth Peace and Arts Alliance, The KEYS Leadership Academy, The Café on A, the Acuna Gallery, and Oxnard Multicultural Mental Health Coalition recommends of the city of Oxnard.

1. Reform the OPD from top to bottom.
2. OPD stop the killing our people! Admit you have major pathology in your department, and admit that you need help!
3. Convene ASAP a community review board, with citizens form the entire spectrum of the community. Folks that are not lap dogs or cheerleaders for the OPD, but rather independent community servants that have historical credentials in the fight to reform the OPD.
4. Involve the entire OPD in culturally sensitive crisis intervention protocols that demand saving lives, and not enforcing the law by deadly force, as the paramount directive.
5. Develop with the immediate assistance of the community a From a Crisis to Saving Lives Intervention Team. The community volunteer Save Lives program has as the paramount directive to train civilian crisis volunteers to work to save lives, sacrifice our lives to get the crisis resolve. The current OPD protocol of shoot to kill first and ask question later is diabolical and inhumane, and must be eliminated!
6. Hold all killer cops accountable; prosecute to the fullest extent of the law.
7. Make an immediate review of the “alleged” tattooing and other gang pathologies that currently infect the OPD and do everything possible to weed out the “sick” out of the department ASAP.
8. Provide support and funds immediately to groups like OMMH to begin the development of the From a Crisis to Saving Lives Intervention Team.

9. Support and fund the proactive work of groups like OMMH and other community based organization that are working to the address the countless of mental health and substance abuse issues that afflict our community.

10. Acknowledge that the current police paradigm is fatally flawed if the primary objective is safety.

And begin to look at community based programs and service that are far superior to conventional policing in transforming communities into safe, creative and vibrant place to live, recreate and practice love and peace.

### **“Wake up Oxnard”**

Wake up Oxnard, next time it will be your son or daughter, the time is now get involved and demand that the city council begin the immediate transformation of the OPD from a police department that is at war with the community into a department that is completely controlled by a community police review board.

We cannot afford to wait any longer; we must act now to honor the death of our sons and daughter who have been killed by the OPD.

These are troubling and violent time and the cowards will run for cover, the brave must stand and be willing to give up their lives so never again will a mother and a father wail and grieve for the death of the children who have been killed by the cops hired by us to “protect and serve



## **The Oxnard Civil Gang Injunctions: The Fight Continues**

**By, Armando Vazquez, Founding member of CORE, & the Acuna Art Collective  
July 11, 2018**

### CORE historical fight against Oxnard's Civil Gang Injunctions:

In 2004 our group, Chiques Organizing for Rights & Equality (CORE) mobilized in community solidarity to fight the introduction of the first Civil Gang Injunction that was to be imposed on the Colonia Chiques gang. The group was comprised of activist, lawyers, educators, artists, youth, parents and other community residents of the Colonia barrio, greater Oxnard and Ventura County. Some of us were witnesses to previous Civil Gang Injunction that had been imposed in other Southern California communities of color. All of us had thoroughly read the proposed Oxnard Civil Gang Injunctions language, policies, conditions and restriction that were to be imposed on the Colonia barrio. The conditions we felt were draconian, racist, hastily conceived, and unconstitutional. After a historic protracted and hard fought court battle, we lost our legal challenge and the first of two civil gang injunctions were imposed on the Colonia Chiques gang in 2005. One year later the second injunction was imposed on the Southside Chiques gang. Here is the first article on what will be a series of contemporary and timely analysis and commentary on the draconian, ill-conceived and unconstitutional history of Civil Gang injunctions in Southern California, with specific attention paid to the two Oxnard Civil Gang Injunctions that are currently being seriously challenged as unconstitutional in the local courts of Ventura County.

## What are Civil Gang Injunctions?

Gang injunctions are the modern manifestation of the civil nuisance laws: Mass social control of "undesirables" have existed in America since the end of the Civil War, circa 1866. It seems that the good white people of a community did not know what to do with the newly liberated black slaves. More than one hundred years later, the nuisance laws then gave birth to the civil "gang" injunction in the early 1990's. The city of Chicago passed one of the first national mass control loitering law; a policing tool to control unruly drunken baseball mobs at Wrigley Field. The Supreme Court would eventually rule this Wrigley Field mob control injunction to be unconstitutional; but the genie was let out of the bottle. Since the late 1990's and into the early 2000's cities throughout the United States have now passed civil injunctions against gangs; most have now been designed to pass constitutional muster. It is safe to say that with the makeup of the ultra-conservative Supreme Court the constitutionality of the civil "gang" injunction would be upheld. It appeared that civil injunctions as a "policing tool for mass control" were here to stay, despite the fact that civil injunctions, in most instances have proven to be a dismal three decade long law enforcement failure in reducing gang related crime. By the end of 2010 in the state of California had imposed hundreds of Civil "Gang" Injunctions and enjoined thousands of predominately youth of color.

## Witness to the genesis and deployment of the Civil Gang Injunctions as a Policing Tool:

I have had the historical misfortune of having lived in, experienced and witnessed the full destructive effects of civil gang injunctions in four locations in the San Fernando Valley. The first civil injunction I witnessed took place in the city of San Fernando in the late 1990's; the civil gang injunction covered a very small park, named Las Palmas in the San Fer barrio. The second gang injunction I witnessed occurred in the public housing projects of Pacoima and Hubert H. Humphrey Park, against the Pacas Flats gang in the early 2000's. The third civil gang injunction I observed was imposed on the Blythe Street Gang in the Van Nuys barrio of Blythe Street in the early 2000's. The fourth civil injunction I witnessed occurred in the barrio of Langdon Street in the city of Sepulveda in early 2000's. According to all available records, testimony and first hand observation, the four aforementioned areas where civil injunctions were instituted, alleged gang related crimes immediately went up and spread out beyond the gang injunction area; property value was decimated, and the quality of life and perceptions of safety markedly deteriorated.

With respect to the dismal failure of the Civil Gang Injunction on the Blythe Street Gang, the ACLU, states in part, in their scathing conclusion of the horrific failure of the Blythe Street Civil Gang Injunction, the following: "The Blythe Street gang injunction failed to achieve its stated objective—immediate reduction in violent crime and drug trafficking and an immediate increase in community safety. This failure can be clearly observed at both micro and macro levels. The failure fundamentally calls into question the appropriateness and effectiveness of gang injunctions. The abridgement of some fundamental civil liberties have continually been

justified by the supposed certainty of reduction in violent crime and enhancement of public safety. This has proven false".

#### Oxnard's Civil Gang Injunctions:

I have now had the continued misfortune to witness the imposition of the two Civil Gang Injunctions in Oxnard on the Colonia and Southside Chiques gangs in 2005 and 2006.

Fast forward to 2015 and according to Sean Garcia-Leys, an attorney with the Urban Peace Institute, "The ground has shifted considerably underneath this whole (civil gang injunction) process" and radically shift away from gang injunctions enforcement. The question is why? In a lawsuit filed against the City of Los Angeles by the American Civil Liberties Union in 2016, the ACLU argued that as written and enforced the current Civil Gang Injunction policies deny due process rights to alleged gang members and as such are unconstitutional. In 2017 Chief U.S. District Judge Virginia A. Phillips ruled that the city of Los Angeles, the city with the most injunctions in the nation had violated the civil rights of accused gang members who were targeted without being given a chance to challenge their gang affiliation status in court. After Judge Phillip's decision, in rapid succession various counties, including Ventura County, in the state of California decided to review, modify or outright suspend their gang injunction policies and enforcement.

In the city of Oxnard the Oxnard Police Department decided to stop enforcing injunction conditions and stipulations against 368 suspected gang members in late 2017 or early 2018. The decision to suspend gang injunction enforcement has been a tightly kept secret by the OPD. Later this July, 2018 it is reported that the OPD will report to the City Council on the two current civil gang injunctions in the city, the current constitutional concerns, and the OPD will apparently make recommended changes, correction or modifications to the current civil gang injunction policies that were originally ill-conceived and currently constitutionally suspect. Which simply put means that the Oxnard Police Department and the Ventura County District Attorney have since 2005 illegally enjoined hundreds of Latino and Black youth throughout the greater Oxnard area and violated their constitutional due process right. The OPD is furiously backtracking to legally comply with recent court ruling but enormous damage has been done to three generations of Latino and black youth in Oxnard. There is something terribly evil and wrong with this horrifically flawed legal process that sends alleged gang youth to jail for injunction violations and does absolutely nothing punitive to police departments and district attorneys through California and Oxnard that have violated the constitutional due process rights of thousands of youth of color for over three decades. Why?

#### The Historic Fatal Legal Flaw in the Oxnard Civil Gang Injunction:

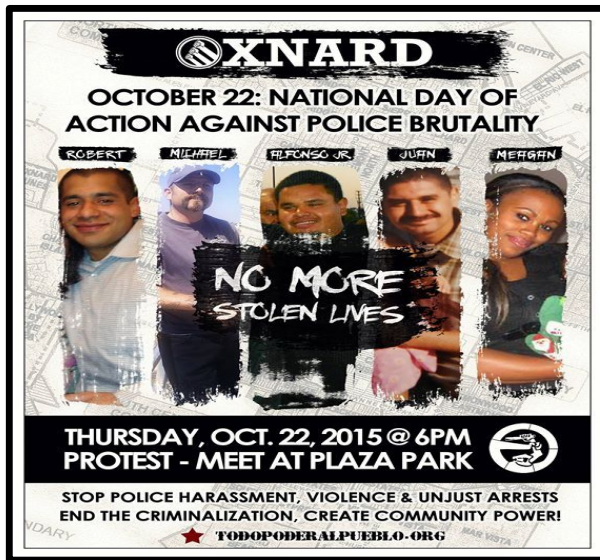
CORE and its supporters argued from the beginning in 2004 that the proposed Oxnard Civil Gang Injunction has serious constitutional flaws. The original version did not have an "opt-out" clause, which meant simply that OPD cops could "tag" a youth a gang member and that illegal branding of the youth followed him to his grave, he had absolutely no legal recourse to

challenge his lifetime gang affiliation. Most immediate, egregious and insidious about the Oxnard Civil Gang Injunction was that in most instances, one cop, the so-called designated Oxnard Civil Gang Injunction expert, could and did identify what and who were gang members in Oxnard. Again the Oxnard Injunction did not, and presently does not, have a legal provision for the alleged gang member to challenge in court the OPD assertion that he was a gang member. That is why the recent decision in 2017 by Chief U.S. District Judge Virginia A. Phillips' ruling in the city of Los Angeles is so important. In her legal decision Chief U.S. District Judge Virginia A. Phillips held that the city of Los Angeles, with the most injunctions in the nation had violated the civil rights of accused gang members who were targeted without being given a chance to challenge their gang affiliation status in court. The Due Process Clause in almost all the Civil Gang Injunctions imposed in California counties and municipalities, that included the Oxnard Injunction, had been conspicuously and summarily omitted. Why?

### What is Next?

It is our duty to fight against the ongoing evil, racist and hypocritical war on crime and all of its ill-conceived manifestations that have been level on the communities of color throughout this nation. The Civil Gang Injunctions are one of the most draconian and unconstitutional weapons that have ever been devised by the government to keep large segments of communities of color in continuous, premeditated and perpetual law enforcement control and supervision. The United States has systemically profiled and enslaved more people of color in jail, probation, parole and law enforcement supervision than any other country in the world. It is a national shame and disgrace. The Civil Gang Injunctions are premeditated, illegally-conceived and some of the most punitive policing tools ever deployed in communities of color throughout this nation. After more than three decades of Civil Gang Injunction deployment police departments throughout the United States, that includes Oxnard OPD, are under scathing judicial admonishment and legal reversals. The racist 40 year war on crime in the United States has squandered billions of tax dollars, and incarcerates more humans than any other country in the world. And in this current Trumpian country gone completely crazy, the nation's police departments, including Oxnard, have little to nothing in the way of qualitative or quantitative statistical documentation to scientifically substantiate or validate that the civil gang injunction anywhere in the United States have been efficacious, constitutional law enforcement tools. Why?





### **The Proverbial Black Hole:**

#### **Civil Gang Injunctions, squandering of millions of tax dollars and lack of Police Accountability**

**By, Armando Vazquez**

**July 21, 2018**

Every American politician has known clearly for over 40 years that sound bite sloganeering tough on crime campaigns get them elected. Oxnard is a classic example of the critical mass electorate, the business community and the politicians supporting blindly and unequivocally the Civil Gang Injunctions and any and all tough on crime initiatives and policies to create a “safer” community. This cynical strategy assure victory at the ballot box but provides absolutely no assurances to a safer community. Constitutionally questionable heavy handed policing “tools” and enforcement initiatives like Civil Gang Injunctions sound great to a gullible and naïve public and get disingenuous politicians elected by playing the get tough on crime card. But do they real work? After a two decade long war on gangs (youth of color) using tough on crime initiatives, like the Civil Gang Injunction, and billions of squandered tax payer dollars the jury is still out regarding the efficacy of the gang injunctions. Why? Simply put, cops are horrible accountant and statisticians. And hypocritical politicians don’t have the guts to hold the cops accountable to provide best practices data.

Little to no Verifiable Data to support the Success of Civil Gang Injunctions:

Wendy Thomas Russell, a reporter for the Long Beach Press Telegram, reports back in a 2001 article, "It is difficult to assess the effectiveness and the cost efficiency of the injunction, because of lack of research, limited accountability, no agreed upon measure of success and no standardized enforcement among police. Also uncertain is the true cost of the Long Beach gang

injunction". Incredibly, the city of Long Beach has instituted four gang injunctions since 1998, and since that time the Long Beach Police Department does not have a data base to quantify or qualify the impact of the injunctions efficacy with the alleged gang related crime they are attempting to police and control. This is a glaring revelation; the Long Beach Police cannot back up their claim that the injunctions is successful as they do not data to support this claim. According to Alejandro Alfonso, PhD in the Department of Geography at the University of Southern California, a renowned expert on Civil Gang Injunctions states, " There has never really been a thorough study on gang injunctions, ever, except for a couple of small studies, which really don't give accurate results" In 2017 The Long Beach Police Department suspended the enforce of the injunction within their city limits.

This then is the current state of affairs with the two current Oxnard Civil Gang Injunctions. The local OPD cannot, has not and will not produce scientific, independently certifiable, statistical information regard the central efficacy question. Why? Because they don't have it! Have the two Oxnard Gang Injunctions been effective as the OPD, the city council, proponents of the injunctions proclaim? If they have been successful, how? CORE urges that the OPD provide the community the statistical data to back up the assertion that Civil Gang Injunctions has worked in stopping gang criminality.

The Oxnard Police Department since the inception in 2005 of the two gang injunction become the master of double talk and spin on local injunction effectiveness. The current injunction area covers approximately 25 to 30 percent of the city of Oxnard. The injunction's areas, the police argue, is where most of the crime is committed by the targeted gang. The Committee on Raza Rights and CORE, have correctly questioned what kind of crime are they the suppressing and reporting out to a gullible public? Are these crimes minor traffic violations, jaywalking, truancy, or mere police stops? Or are these serious crimes such, as assault, homicide, robbery and burglary that can be directly attributable to the alleged gangs? How did the Ventura County District Attorney and the Oxnard Police Department come up with this geographical injunction area? The Oxnard two "Safety Zone", areas represents one of the largest areas ever covered by a Civil Gang Injunction, anywhere in the nation. 13 years later we still don't know the real answer to this critical question.

The Safety Zone in Oxnard:

Professor Alejandro Alonso, states," The Gang Injunctions is supposed to offer long-term effects, community-wide effects, which I have not seen a gang injunction do." One of the areas that the Oxnard "Safety Zone" has covered is the entire downtown business area. For the past 13 years we have seen little visual evidence of "safety" change. The downtown area is still horrifically underutilized and becomes a ghost town at dusk. What have the cops done in this area to claim it is safer than 13 years ago? I postulated back in 2004 that the downtown area inclusion in the Civil Gang injunction was the way the Oxnard City Council and the Oxnard Police Department would insure and protect the multi-million dollar investments and projects being undertaken in the area at the time. The downtown area is not a high crime area, it never has

been; however, it is a strategic area of economic revitalization and development. Is this civil injunction going after perpetrators of crime or protecting multi-million dollar investments, or both? After 13 years has the Safety Zone designation helped or hurt the downtown businesses? Has it recruited or frightened away investors, business and shoppers? CORE urges the OPD to provide the statistical data to support and substantiate its claim of success.

The Oxnard Police Department will have us believe that the lawlessness especially the more egregious and violent crime is out of control in the "Safety Zone". A question to the OPD is where were they when this cyclical pattern and history of violence was taking place? This climate of purported gang lawlessness was not created in a vacuum. Who created this climate of fear in the downtown area? Various OPD Chiefs have made the claim that Oxnard is one of the safest cities, for its size, in the United States. They claim that the OPD department, with its innovative policing programs, has been highly effective in reducing gang related crime. The OPD play the highly questionable statistical mind game in the community, using erroneous crime numbers one day to scare the community and using another set of misleading crime reduction statements to assure the local, residents, political and financial leadership that the OPD has gang violence and crime under control in the next instance. The OPD cannot have it both ways.

What is next for the city of Oxnard Gang Injunctions?

The OPD with its well-orchestrated spin has called the civil gang injunction, one of many tools in the "enforcement tool box". Experts on the effectiveness of Civil Gang Injunctions call this draconian police practice ill- advised, and at best, a "Band-Aid approach to eradicating gang crime and violence in our communities." So why do police departments throughout the Greater California area, including Oxnard, continue to seek court-ordered Civil Injunctions? Expediency.

The answer to long term gang pathology according to Alexandro Alonso and most other experts in gangs and civil injunctions is non-police interventions, engaging the gang member directly in substantive and positive dialogue, jobs, higher education, smart common sense long term non-police interventions, time, love and community service programs. Alfonso, states however, this community engagement won't happen because, "you don't get a lot of law enforcement supporters to get behind these community- based activities, such as cease fires, job training, community services, and higher education matriculation because it is not expedient and that's not their approach toward gang crime suppression" Father Gregory Boyle is even more succinct when he warns that, "Simple solutions to complex problems will produce failed and wrong solutions" Oxnard Civil Gang Injunction is a lazy quick fix solution for the cops at the expense of the constitutional rights of many youth of color in the community. As a community we can be much better than sloganeering and quick fix solutions to eradicate local youth pathology.

Complex Human Problems Require Complex Long Term Interventions: We offer the KEYS Leadership Academy

The Keys Leadership Academy has a 25 year local history of providing ethnically and culturally congruent best practices and highly successful remedial and empowering educational programs (we endeavor to matriculate every age appropriate KEYS youth in college); along with community civic services that help at risk youth become vested as leaders, activist and stewards of their respective community. These educational and community services programs help to foster proactive individual and group expression, activism, and application of human creative skills, emotional and spiritual empowerment, community resiliency, imagination and perseverance in at-risk youth and their families. Our programs and services are all designed to nurture, strengthen and empower the youth of our community and instill a spirit of stewardship and community leadership in services for their communities. Over the past three decades The KEYS programs have helped thousands of at-youth and their families become discerning, knowledgeable and empowered transformative agents of service and activism in their local communities throughout greater Oxnard.

The mission the Keys Leadership Academy is to engage and help empower the multi-ethnic at risk youth community of greater Oxnard. The KEYS proactively delivers efficacious and ethnically congruent educational enhancement programs, healthy living activities, community service, with long term support, mentoring and counseling for our at-risk youth populations in our community and their families. We utilize our unique (designed and tailored for our at-risk Oxnard youth) best practices educational and supporting programming and classes that utilize ethnic and culturally congruent programming that connects uniquely with at risk youth and his/her family.

The principle and defining philosophy of the Keys Leadership Academy is the robust and active promotion of youth stewardship and a service activist philosophy that will help promote community stewardship, wellness, safety, health, ethnically and culturally congruent education, and community wide service programs. This a brief synopsis of The KEYS Leadership Academy:

A: The KEYS Leadership Academy academic remediation and community empowerment classes and training (emphasis on youth and their siblings and parents (the entire family) help remediate academic and educational deficiency that are prevalent in our at-risk youth. Class room community service and healthy lives classes training in multiple locations. Our goal is to get every kid into college, a good job and help create a community steward.

B. On site job training, OJT, or mentoring in the area of entry level construction, entry level green environmental technician work, educational mentorship and tutoring, exercise instructors, child care providers and other work experiences throughout Oxnard. Father Boyle states, “nothing stop a bullet faster than a job” We add nothing gives a troubled kid more good options than a good education and a good job! Job development require the buy-in of the entire community with the city of Oxnard leading the way.

C. Community Enhancement projects: Working partnership with the city of Oxnard and community partners KEYS youth participate in service projects to the community that will

enhance the safety, health and quality of life for the residents of Oxnard. KEYS projects can include, the cleanup up the many city owned properties that are vacant abandoned, the Ormond Beach wetlands, local parks, beaches and strategic community and public venues and locations that will promote community stewardship pride to the ignored pockets of our community.

Please Oxnard do not have to reinvent the preverbal youth intervention model, it is already here. It is the KEYS leadership Academy that has be helping transform the lives of thousands of the most active and at-risk youth in greater Oxnard for over two decades. For pennies on the dollar The KEYS unique and long term programing has demonstrated consistently that with the right intervention programing we can help turn the most troubled kid into knowledgeable, active, secure and compassionate steward of his/her community. Let us stop violating our youth constitutional rights, stigmatizing entire generation of Oxnard youth, and get on with the long term business of loving and support for all of our youth. It is long past due.



**HOW OXNARD CONTINUES TO SUBVERT THE DUE PROCESS CLAUSE OF THE CONSTITUTION: AT THE EXPENSE OF OUR YOUTH:**

**By, Armando Vazquez, CORE, Founding Member  
Executive Director of the KEYS Leadership Academy at the Acuna Art Collective July 28, 2018**

In a previous article I noted an important historical point of reference that the current manifestation of civil “gang” injunctions had their origin, over 100 years ago, in the civil nuisance laws. Racist, ill- conceived, and unconstitutional local policing practice that severely restricted the right of free association and assembly for the newly freed slaves. There was no individual due process afforded in the original civil nuisance law. Any group of black men that congregated for any purpose was subject to violating the civil injunction laws. This group could then (individuals or the entire group) be subjected to arrest. Fast, evil, and unconstitutional wholesale injustice disguised as law.

This is the same fatal flaw that now faces current civil gang injunctions state-wide, and in particular the two Oxnard civil gang injunctions served on the Colonia Chiques in 2005 and the Colonia Southside in 2006. This legal fatal flaw I call the Juan “no due process” Doe factor. In the Juan “no due process” Doe factor the Ventura County District Attorney, in 2004, filed the following legal plea to Superior Court, the title of the plea is "ALLOWING SERVICE ON A DESIGNATED MEMBER IS NECESSARY AND PROPER". This plea states in part, "Pursuant to Code of Civil Procedure section 416.40©, this Court should allow the People to serve the defendant

Gang by servicing a designated gang member(s), as authorized by the Corporation Code section 24007.

“COCH cannot be served by any traditional methods of effecting service on the unincorporated association because COCH failed to register with the Secretary of State or the City of Oxnard, has no officers or general manager, and does not have a fixed street address. In addition, the People should be excused from the requirement to mail a copy of the documents served to the defendant COCH because no address can be found after due diligence and reasonable inquiry. The People have been unable to locate a registered agent, or any mailing address or "place of business" for COCH. The People’s inability to effect service on COCH by any method other than by service on member is a result of COCH’s own failure to designate an agent for service process, to file a "dba", forms, or take any other proper or official action that should be taken by an entity doing business in the County of Ventura”.

The District Attorney and the Oxnard Police Department in 2004, played it sloppy, fast and loose with their original court plea stating that COCH is a corporation on the one hand and then asking the court to be excused for not being able to find a corporate officer, office or fixed address. Of course they could not find that “legal entity” because a “gang” in any logical or sober sense of the word is not a corporation. Except, of course, in the unconstitutional delusional mind of local law enforcement, chomping at the bit to make political capital on the back of youths of color in Oxnard.

By initially making COCH, in 2004, a corporation, the OPD and the Ventura County DA satisfy the "surreal" legal requirement of serving the entire COCH corporation by serving the required legal documents on only one of the 500 purportedly identified COCH gang members. That is how the OPD originally got around serving all the “500 or so OPD identified COCH gang members”. CORE in our independent research could identify only about 35 COCH alleged gang members that had been served by May 24, 2004, the date when the judge at Superior Court granted the preliminary civil gang injunction, there were some 465 COCH "Juan Does" out there that had yet to be named, publicly identified and served. Remember at the time that the 2004 preliminary civil gang injunction court ruling there existed no due process clause for individuals to fight in court the profiling and branding of a COCH Juan Doe alleged gang membership.

Today, that of course, is precisely what is turning the current legal fights for the law enforcement community state-wide into a political nightmare and a scathing law enforcement fiasco and resounding legal defeats. And that is why so many counties and municipalities throughout California, including Oxnard, are having the courts rule against their civil gang injunctions polices as unconstitutional. At the core almost universally the California civil gang injunction model conveniently, intentionally unconstitutionally left out the due process remedy clause in its original design, which of course, violates the individual rights of the profiled and branded “gang injunction” designees to challenge the cops assertion and evidence in a court.

So state-wide and here in Oxnard the cops must regroup today or lose in court tomorrow. To pass constitutional muster cops must do today according to recent court decisions: Properly ID



each individual person they profile that fits their “gang injunction” designation. The cops must collect and present evidence on each of the “gang injunction” designees. Present the “gang injunction” designees notification that he/she has been designated a “gang member”, at the same time provide that “gang” designee a court hearing date that will provide the individual the opportunity to exercise his/her due process rights to contest the cops findings in court as guarantee by the constitution. This is a lot of legal work, a lot of police due diligence work, and if history is any indicator the state wide law enforcement machine and the local cops are not up to their constitutional task. Their current civil gang injunction handy work has been exposed as fatally flawed and unconstitutional by the courts.

According to a Los Angeles Times article dated, July 8, 2018, Peter Bibring, a senior staff attorney for the ACLU, said a Los Angeles judge's ruling in late 2017, would leave few, if any, Angelenos subject to the orders. Bibring is quoted, "The court clearly recognizes the way the city of Los Angeles has been enforcing gang injunctions over decades violates due process in a way that makes it likely they will place people on gang injunctions who may not be gang members. This ruling marks the end of gang injunctions as they worked in the city of Los Angeles."

In the same Los Angeles Times article, the 2017 court ruling on the Sanchez case also led the Oxnard Police Department to stop enforcing injunctions against roughly 368 suspected gang members, according to Asst. Chief Eric Sonstegard. According to Sonstegard a city council hearing would be held to discuss proposed amending the city's gang injunction ordinance so that court hearings can be arranged to determine the gang status of those people it (the new and amended city's civil gang injunction protocol) seeks to enjoin. A few members of CORE attended the July 22, 2018 Oxnard City Council meeting where Chief Sonstegard made his presentation before the council members and we were appalled to learn that the OPD wanted to hire effectively an in-house “Magistrate” to adjudicate the due process challenges of newly enjoined city wide “gang” members. This “Magistrate” would be paid out of the OPD budget and subject to administrative supervision and management by the OPD Chief. Talk about the fox's ruling the henhouse. We are talking about constitutional due process and not a kangaroo court as perhaps the OPD would like it to be!

The Oxnard city mayor Tim Flynn, states ad nauseum that are 2500 gang members in Oxnard. The OPD never contradicts or correct these wild assertions made by the mayor. The mayor knows that he is making political hay with this assertion that there are 2500 gang members. He is, of course, speaking to his solid tough on crime electoral base. But these baseless assertions do not bode well for accuracy, transparency, accountability or the constitutional due process rights of hundreds if not thousands of a new generation of come of age youths of color that will be put through the same unconstitutional and draconian law enforcement nightmare once again. Civil Gang Injunction expert, Alejandro Alonzo stated way back in 2004, " I view the injunction as more of a political tool that benefits those who are behind the injunction—they would be the council members, the attorneys, and those who push it; because it is always easy, and it is always a good thing to be hard on crime, especially if you're a politician. In that respect I'm critical of the gang injunction, because I don't see it as other than a political tool. I don't see

the long-term bigger picture problems being addressed with a gang injunction. It's really just scratching at the surface" In Oxnard, it seems, nothing seems to change in getting to the real roots of youth pathology and dysfunction.

In fairness to the mayor, other local politicians and the OPD there has been recent and promising talk about the need to introduce serious, effective and local community driven intervention programs for our most troubled youth. CORE, the KEYS Leadership Academy, The Acuna Arts Collective, Oxnard Multicultural Mental Health Coalition (OMMH) and other community based organizations that have had generations of local successful history working with trouble, dysfunctional, at-risk and active youth must be part of the new community partnership approach to work with and begin the healing of the most troubled and dysfunctional youth in our community. We at CORE and the KEYS Academy are at the service of Oxnard youth and their families to begin to re-introduce our best practices and state recognized empowerment and community service program to a new generation of active at-risk youth that we have worked with for over two decades.

We would seriously counsel and caution the city council, the OPD and anyone else that thinks that the ideal program, solution or intervention is outside of our community and must be imported. We have witnessed this costly and failed charade play out for over 30 years here in Oxnard. The experts, the best solutions, most effective intervention and empowerment programs are already here, just historically ignored and never supported out of sheer stupidity, wilful ignorance, or a myopic political agenda that has no long term heart or a common sense brain in addressing the chronic and unique pathology of our youth in Oxnard. As Father Gregory Boyle reminds us all, "I can come and make a presentation, make some suggestion that have worked at Homeboy Industries in Los Angeles. But they will never work here if your do not have the local will, the trust of the community, or community involvement and effort to make it happen. Once I leave it is your problem, it will be your solution" Oxnard we can get it right this time, with long term loving investment, a common sense mind and the right community commitment we can help turn around our most troubled youth into community stewards, civic activist and future leaders of their community. All of our Oxnard youth deserve nothing less.



**TOWARD A REAL, EFFECTIVE, LOCAL, HOLISTIC AND LONG TERM YOUTH INTERVENTION PARADIGM IN OXNARD: OUR TROUBLED AT-RISK YOUTH DESERVE IT, IT IS LONG OVER DUE!**

**BY, ARMANDO VAZQUEZ, M.Ed.**

**August 5, 2018**

“The wound is the place where the light enters you.” -Rumi

**THE DE-HUMANIZING OF BC, A CAUTIONARY TALE OF OUR TROUBLED YOUTH IN OXNARD**

In dealing with serious and long term community solutions and interventions to youth pathology and dysfunction we must first honestly recognise and deal with the brutally harsh punitive and negligent indifferent societal environment that helped to a large degree create the unique American “gang” youth problem in the first place. How can anyone deny that the world is a violent and turbulent maelstrom of racism, sexism, religious fanaticism bordering on the worship of insanity, hatred and intolerance? All this violence created almost exclusively by men, young and old, all over the world, including Oxnard.

Some two years ago a high school kid that we will call BC, as in “Born into a Crazy World” revealed to me and others that a gun had been pulled on him at a local Oxnard high school. The gun was pointed at BC’s gut. Then the chilling demand is utter by the kid with the gun “Where you from fool? “ BC the kid on the wrong side of the gun is frozen in terror.

This loud mouth kid has lost his ability “to talk mess” for the first time in his short acutely troubled life. Luck saves the kid from being shot or worse, a school security golf cart is rapidly

approaching so all the kids “on the right side of the gun that live forever” as poet Kendrick Lamar tell us, all scramble like inhumane violent mutants seeking the innocuous cover of the lunch crowd. The adrenaline kicks in and BC bolts to the administration office seeking sanctuary. In the office in front of school officials and Oxnard cops the kid starts talking; rather he is spinning a tale of lies, denial and manipulation. That is all the kid knows what to do, “talk mad shit”

BC is incapable of speaking the truth and he doesn’t even know it! BC is now letting his mouth potentially help him dig his own grave. He is ratting out the “enemy”. In potentially suicidal panic BC is violating gangster cardinal rule number one: “Keep you stupid mouth shut and don’t rat”. How many times does this gun, violence and tribal insanity occur on our high school of Oxnard?

I suggest that if you are really interested in knowing the truth you avoid the cops, the school and local officials and you go directly to the kids. Ask them they will tell you. BC confesses to me that in a two week period he saw guns in the hands of kids on school ground on two or three different occasions. All the kids know what is going on at the local school. The smart ones know how to navigate and mostly avoid the danger, the knuckle heads are drawn to the trouble, and kids like BC that are neither smart or knuckleheads are usually caught in the middle.

BC was born into a troubled and dysfunctional runaway circular roller coaster world that always retuned him back to tragic, and dysfunctional experiences; always accompanied by violence, abandonment and fear. All BC knows is drama; as in talking mess and doing whatever twisted action and deed is necessary to survive. In his world BC learned to lie and manipulate very early in his childhood “development”; he is now a master in the art of deception and drama at the tender age of 16. The likelihood that the “enlightened” side of BC is going to magically appear today is very remote, but it is not impossible.

In Marc Lewis, P.H.D., brilliant book *The Biology of Desire*, he reveals a compelling thesis that any “addiction is an unintended consequence of the (hard wired) brain doing what it is supposed to do – seek pleasure and relief – in a world that’s not cooperating”.

That is what BC does time and again seek out relief and twisted pleasure (taunting the gangsters, the cops, the school officials, his mom, and anyone that cross his path) and in return BC always receives painful, very bad and highly predictable consequences. BC tells me he loves pain, so he will continue to taunt the devil, he can’t help it. I concur with Lewis, BC’s brain and the brains of all our dysfunctional and troubled hard wired youth must be rewired through long term love. Oxnard must no longer wage a brutal tough and failed war on crime waged on the bodies and minds of our youth. We must release love from our pained and troubled hearts in a mercy mission of long term intervention of science, common sense and psychology driven by unconditional love. This how we help trouble youth turn his/her life around.

## HUMANIZE OUR YOUTH WITH LOVE:

Anthropologist João Biehl and his theory of social abandonment in his ground-breaking book entitled, *Vita: Life in a Zone of Social Abandonment*, maps the process in Brazilian society of social abandonment and the path that is systemically paved toward social ostracism and exclusion for marginalized individuals (like BC) and groups (like gangs). Central to Biehl's theory is the idea that a status of "ex-humanness" is prevalent in ostracized groups, a state of non-personhood and invisibility, must be reached in order for society to dehumanize, easily discard and abandon a group or individual. Ominously Biehl adds, that the processes of social change constantly offer new, creative and altered ways in which a person can lose his/her perceived "humanness". In other words, the privileged policy makers of our society are always scheming to find new policies and laws to further alienate and dispose more effectively those impotent and disenfranchised "ex-human" individual and group populations in the community.

That BC is seriously losing his grip on "humanness" is a gross understatement. All the while the surrounding local "human" society is furiously kicking BC (and his de-humanized kind) down the proverbial black hole into further inhumanity by brutal and systemic design. In dehumanizing the lowest members (the BCs of the local society and of the world) of the perceived marginalized group or race is where a bigoted or racist society completes the dehumanizing ostracism of the undesirable. To hammer the nail on the "ex-humans" coffin of ostracism the prevailing systemic racism always manages to infect policies to further marginalize or criminalize these "ex-human". This is how we dehumanize and criminalize our individual youth and create gangs in this country.

In the 1990s [sensational concocted racist lies and myths about crack babies and their drug-addicted "welfare queen" mothers and other "ex-human animals"](#) seized the American national consciousness. It was at this very critical period on the national war on crime and drugs, that criminologist James A. Fox and political scientist John J. DiIulio Jr. shamelessly promoted the concept of the "super-predator" The evil racist creations by these two eminent sociologist were typically a Brown or Black poor slum youth whose primal anger and chemically altered impulse control threatened to spark waves of violent crime on an unsuspecting public. This racist stereotypical myth gave police the cover to follow New York Police commissioner Bill Bratton's "broken windows" policing concept, accelerating the pace at which already over policed communities of color were systemically rounded and herded, "like animals, super-predators, terrorist, rapist and killers" into the penal system. It gave disingenuous politician perfect winning emotionally charged propaganda and help turn lawmakers over to their most reactionary "tough law and order" impulses. On a national level we began to see draconian law enforcement policies such as the drafting of mandatory minimum sentencing laws and the "three strikes" and civil gang injunctions policies designed to keep our nation's prisons filled, and eternally keeps men of color insidiously in the vice grip of law enforcement supervisions and control.

## LOVE IS THE KEY

In Erich Fromm's wondrous work on love entitled, *The Art of Loving*, he writes, "The deepest need of man, is the need to overcome his separateness, to leave the prison of his loneliness. The absolute failure to achieve this aim means insanity, because the panic of complete isolation can be overcome only by such a radical withdrawal from the world outside the feeling of separation disappears—because the world outside, from which is separated, has disappeared" This then is where we meet most of our troubled youth lashing out at a cold, often violent, cruel and indifferent world. For many of the youth their separation from a foreboding and foreign world is further complicated by abusing alcohol, drugs; involvement in promiscuous sex, gangs or violent and abusive relationships. Others will somehow, almost miraculously, manage to find a way to live a "normal" life. What all these precious trouble youth are looking for is love. It has been our experience that an incredible transformation and empowerment can take place in all who are touched by the power of love. So what do we mean by the power of love and its transformative essence?

Eric Fromm explains it this way, "Love is activity, not a passive affect: it is "standing in", not a "falling for" In the most general way, the active character of love can be described by stating that love is primarily of giving, not receiving... Beyond the element of giving, the active character of love becomes evident in the fact that it always implies certain basic elements, common to all forms of love. These are care, responsibility, respect and knowledge"

The transformative work of truly helping a troubled youth (any soul) begins with the activity of giving love. We agree with Fromm's assessment of love in working with dysfunctional youth. We must make a bold commitment to love, we must care to love and meet the youth where he/she is; love requires that we be responsible and knowledgeable about taking on the daunting long term task of working with the troubled youth, and finally love demands that we have respect for the sanctity and sacred value of all life. In active love we can then plunge into the abyss that is home to many of our most at-risk youth knowing that love will find a way to the most troubled hearts and souls.

## THE KEYS LEADERSHIP ACADEMY AND UNCONDITIONAL LOVE:

In the three decade work that Dr Deborah De Vries and I have done through the KEYS Leadership Academy at the Acuna Art Collective A in Oxnard, we have worked with many of the most at-risk and active troubled youth and their families in the community. Most of these pathological, troubled and often lost youth we work with are terrified and looking for their lost childhood — looking for love, often in the wrong places, always in desperation. This is the unconditional love commitment that we share with each and every one of the youth that we "stand in" love with:

1. Unconditional love is unconditional acceptance of the person asking for a helping hand. Unconditional acceptance does not make demands on the individual. We

accept the obvious fact that the individual youth has perhaps lost the road map to life (or perhaps just taken a wrong turn); either way, unconditional love will eventually redirect the individual.

2. Unconditional love will produce loving individuals, and then everything in this person's life is possible. All the behavioral demanded, such as personal accountability, responsibility and resourcefulness that the individual could never master before will eventually be a natural by-product of unconditional love.
3. Unconditional love is action-driven. It requires the servant to provide individualized services to the youth. The servant cannot deliver unconditional love with empty hands; the servant must engage community, power and institutions so goods and services are unconditionally made available.
4. Unconditional love will eventually inoculate even the most troubled youth, transforming the youth into the servant.
5. Unconditional love is fearless. Even when the task seems impossible, love will find a way.
6. Unconditional love is forever. There are no time frames, schedules or deadlines. The servant understands a youth may backslide a few or a hundred times. It does not matter. Eventually, unconditional love will liberate this youth.
7. Unconditional love is available to each of us, and we can all practice it, but first we must learn to "stand in" love and lead with the heart and soul.

The KEYS Leadership Academy of Oxnard is a program that has for over three decades worked with the most troubled and dysfunctional youth and their families in all of greater Oxnard. Our work is not easy, and never driven by political sloganeering, traditional law and order directives or institutional standard of measurement. Our motto is "LOVE IS THE KEY" and we never waiver from that foundation. We have worked with thousands of acutely troubled and marginalized youths in Oxnard, and we can tell you that we have never witnessed a youth; no matter how tough or broken he/she is that does not respond to care, responsibility, respect, knowledge, social and restorative justice, and love.

The historical "problem" with our KEYS Leadership Academy program is that it is not designed and never will be geared to give the cops, the probation department, the school and local elected officials with neatly packaged "success numbers" every quarter. Rather The KEYS Leadership Academy provides individualized and unique award winning effective educational, community services, and vocational transformative programing of spiritual, scientific and psychological empowerment drive by love.

For one of our most pathological broken youth that we are still working with it has taken 20 "stand in " love years (and counting) to help her to "rewire her brain and heart" Today she is a miracle in action as one of the most dedicated, effective and hardworking community servants in all of Oxnard. We are still working with her. It will take many years for BC working with us to "rewire" his brain and resuscitate his heart and soul, but we will be there with him every step of



the way. This is how we do it at the KEYS Leadership Academy of Oxnard, one brain, one heart, one soul, and one youth at a time for as long as it takes. Love is KEY!



# PEOPLE'S TRIBUNAL

WE DEMAND JUSTICE, DIGNITY AND RESPECT!



## TESTIMONIES ON POLICE BRUTALITY & "KNOW YOUR RIGHTS" WORKSHOP

- Speak out against Police Abuse: Give testimony at our People's Tribunal!
- Accountability & Transparency: We demand a Community-led, Independent Police Complaint Review Board!
- We will discuss forming Committees Against Police Brutality
- "Know Your Rights" Workshop: Organize and Defend Your Rights!
- We will also hold a short vigil for victims of police terror!

**WEDNESDAY SEPT 19 @ 6PM**  
**CAFÉ ON A, 438 SOUTH A STREET, OXNARD**

TodoPoderAIPueblo.org // (805) 3-AVISO-3 // poder805@riseup.net

THE OXNARD CIVIL GANG INJUNCTIONS;  
THE "OPT-OUT" PROVISION AND THE COMMUNITY INPUT  
BY, ARMANDO VAZQUEZ  
AUGUST 21, 2018

In the months of July and August, 2018 in various settings in the community Chiques Organizing for Rights and Equality (CORE) has met with the Oxnard Police Department to discuss the future of the two Civil Gang Injunctions that are currently temporarily on "suspended" status pending the outcome of the sober deliberations currently under way in the community, at OPD headquarters and at city hall. We are encouraged with the recent outreach engagement efforts by OPD Chief Scott Whitney, Assistant Chief Eric Sonstegard and Jason Benites that have brought together the community and the OPD.

At the end of the highly informative Community Relation Commission Civil "Gang" Injunction presentations of August 20, 2018 made by the OPD and CORE, Chief Whitney approached me and suggested that we meet to discuss and potentially work together on some specific aspects of the Civil Gang Injunctions that needed to be revisited and perhaps improved. Chief Whitney had in mind the review and discussion of the Oxnard version of the "Opt-Out" provision of the Civil Gang Injunctions. We agreed to meet the following day, August 21, 2018 at the old Social Security downtown building, our temporary location courtesy of the city.

The August 21, 2018 meeting at the old Social Security downtown building was attended by Chief Scott Whitney, Assistant Chief Eric Sonstegard and Jason Benites,

CORE members and other interest community residents. We initially reiterated and agreed that we would attempt to focus on ideas, suggestion and commentary regarding the current Civil Gang Injunction "Opt-Out" provision. The OPD provided an overview of the current "Opt-Out" provisions. For a variety of reason the OPD has found that there are relatively few of the 368 enjoined "gang" members that has taken advantage of the "Opt-Out" provisions. The "Opt-out" provision is the rigorous protocol that the enjoined "gang" member must successfully complete to be "freed" from the Civil "Gang" Injunction.

The reasons for the relatively few 368 enjoined "gang" members taking advantage of the "Opt-Out" provision was what appeared to be for obvious reasons; namely, distrust of the cops and their "Opt-Out" program, continued activity as a gang member, ignorance of the "Opt-out" protocol and finally lack of communication between the cops and the enjoined "gang" member. We all surmised that this is not rocket science and of course the enjoined "gang" members and the cops have a mutual trust and communication problem. Accepting this no-brainer truth; that there is little to no communication, let alone trust, between the OPD and the enjoined "gang" members was a crucial step in moving forward. To the credit of the OPD and the community we all agreed that perhaps a trusted independent community organization working with the OPD could help create a "bridge" to the enjoined "gang" members.

The OPD, CORE members and other community activist agreed in principal into the exploration and the development and creation of a community based program, working with the OPD "Opt-out" provisions, might be an important beginning step in the development of a dynamic protocol that could initially identify "low hanging fruit" that might be ripe for the "Opt-out" provisions/programs and successful transition out of the Oxnard Civil "Gang" Injunction.

Of course the devil is in the details and where the OPD is having problems/concerns regarding their current "Opt-out" provisions and stalled "freedom" protocol. This is where trusted community members and organizations working with the OPD are critically important in hammering out legal, clear, transparent and discernable "hoops" that the enjoined "gang" members must navigate to achieve their goal of "freedom" from the Civil "Gang" Injunction.

CORE has been down this legal black hole before; today we want to work toward sunlight and liberation. In 2005, 2006 and now in 2018 we have been critical of the OPD's "Opt-out" initially non-existent and now apparently a weak, oblique and inaccessible "Opt-out" provision. We want to help the OPD create a fair, accessible and humane restorative/rehabilitative "Opt-out" protocol.

This is what CORE will fight to include in the future "Opt-out" provision and program. The "Opt-out" provision and program must have a robust triage component, consisting of jobs, education, legal aide, community restorative justice

service, health (physical/mental) services, art/cultural, counselling, long term professional support and other rehabilitative services. CORE, the Acuna Arts Collective, Oxnard Multicultural Mental Health Collation (OMMH) and other trusted community based organizations have a local history of providing long term local and successful “social triage” services to acutely at-risk population in the greater Oxnard area. We don’t expect the cops to provide this triage, but we must expect the cops to make whatever available information they can provide to make the “Opt-out” triage assessment robust and complete. We must never work irresponsibly and set up or mislead the enjoined “gang” member. Once we betray our mission of transparent fidelity we will lose the trust of the entire community forever!

Make no mistake about it CORE vehemently opposes and will continue to oppose the Oxnard Civil “Gang” Injunctions. We have argued that they are constitutionally flawed; and we believe the state’s courts will continue to render crushing legal defeats to jurisdictions, like Oxnard, that stubbornly fail to read the writing on the wall and continue to pursue a police policy that has long been rendered constitutionally infirmed and obsolete as law enforcement “tool”.

We are all in complete and total agreement with all parties; the OPD, CORE, the residents of Oxnard’s and all those folks at the periphery of our local society that long for social justice and equality, that our universal goal is to make Oxnard the safest, most humane and prosperous city that we can craft through our collective intellect, love, justice and hard work. This is a historic time in Oxnard, let us dispel the fear and loathing that drives and divide many of us in our community, and begin to open our hearts and minds to help our various populations in need and crisis maximize their full potential. Only in this way can we truly make Oxnard the city that real cares about safety, equality and prosperity for all.



## OXNARD AT THE CROSSROADS: FEAR OR LOVE

BY, ARMANDO VAZQUEZ

AUGUST 27, 2018

Fear makes psychological prisoners of us all, it is as though we are walking around with chains and locks around our hearts and minds. A pathetic way to live we would all agree. So why do so many of us in America, and in Oxnard, live this way?

There is the liberating NOW alternative; wherein we choose to confront our fears and begin to dispel them. In a moment of mindful liberation we embrace the NOW. In this very moment we may/can come to the sobering self-realization that most of us don't even know what or how we were driven so insidiously into our horrific mobile 24/7 fearful hell that consumes many of us.

I make this observation in this historically important moment when again the residents of Oxnard will be confronted with the choice of continuing the deployment or elimination of the two constitutionally flawed Civil "Gang" Injunctions that currently plague our wonderful city. What will drive the final community decision fear or love? In the 25 years that we have been working with at-risk youth in the greater Oxnard area we find universally that the at-risk youth and those residents that are fearful of the youth are both frightened and petrified of one another; the unnamed unknown "dangerous" strangers.

The hate monger, among us, have no trouble giving these youth names and labels for us. We quickly adopt the language of the hate mongers and begin calling these humans that we don't know predators, super-predators, gang members, illegals, rapist, killers, thugs, dope dealers and drunks. The list is as endless as our ignorance and fear. Often we are complicit in helping hate mongers add fuel and stoke our long held prejudicial beliefs that keep us at each other's necks. At the end of the day none of us feel any safer, and perhaps more fearful. This is no way to live, and it is a slow excruciating way to die!

In its 115 year history Oxnard has stupidly self-inflicted more black eyes on its reputation than inept hockey team, all because of race and fear. The current Civil “Gang” Injunctions rank as two of the worst black eye ever self-inflicted, despite the fact that Oxnard for its population size ranks as one of the safest city in the entire nation. So why is Oxnard so safe and its citizenry so fearful? For 115 years there has been a power sharing and communication vacuum. The Mexican/Latino population that represents approximately 80(or more) % of the population in Oxnard has little to no political decision making power. A people that hungers for inclusion, justice and democracy is a people that have systemically been oppressed for 115 years. Conversely the small yet omnipotent ruling white population have had a run of uninterrupted control of the city for 115 years.

The Mexican/Latino is fearful because it has no power and the white ruling class is ever fearful of losing its power and control. Former City Manager Greg Nyhoff early on in his short tenure in Oxnard quipped, “Where are all the Latinos in the city?” I guess the guy could not find us and left. The truth is of course that we are here, we have always been here! NOW we must demand full and equality democratic participation in the civic life of Oxnard.

Chiques Organizing for Rights and Equality (CORE), the Oxnard community, and the Oxnard Police Department (OPD) are for the first time in the 115 year history of the city is talking openly, democratically and honestly about what constitutes community safety. Recently we pointed out to the OPD and Chief Whitney that the police budget for fiscal year 2017-18 is \$69,491,809 dollars and that as far as we are concerned the city does not spend ONE dollar in independent community based restorative/rehabilitative social service programs for our troubled and at-risk youth.

CORE is working with the OPD and the rest of the community to develop effective, humane and universal access to restorative and rehabilitative programs that provide jobs, vocational training, educational opportunities, mental health and substance abuse counselling to our at-risk youth and troubled adult population in greater Oxnard. A serious investment into these social service programs will be far less expense than the roughly 70 million dollars that we spend solely on a police force that is looking to the community for safety innovation and dynamic partnerships. CORE invites the entire community to our next meeting with OPD, this Wednesday, August 29, 2018 at 1 PM, at 445 South B Street (the old Social Security Building).



Dolly Villa, CORE Youth Organizer

## **OPD'S CURRENT "OPT-OUT" CONDITIONS; THE RECOMMENDATIONS MADE BY CORE**

**By, ARMANDO VAZQUEZ**

**AUGUST 31, 2018**

CORE, community members and the OPD met as scheduled again on Wednesday, August 29, 2018 at the old Social Security building, that we the Acuna Arts Collective have been utilizing as our temporary home courtesy of the city of Oxnard. Chief Scott Whitney and his Assistant Chiefs Jason Benita's and Eric Sonstegard wanted additional community input in the review, discussion and potential community assistance in improving the 11 "Opt-out" conditions currently used by the OPD to determine if a "Opt-out" candidate is determined OPD ready to be removed from the Oxnard Civil "Gang" Injunction list.

What CORE, The Acuna Arts Collective, The KEYS Leadership Academy, OMMH and various community partners want to do is to help the OPD to develop and incorporate complementary effective Restorative/Rehabilitative Community driven "opt-out" addendums to the OPD's existing 11 original "opt-out conditions. CORE wants in some fashion, as we negotiated with the OPD, to address the fundamental due process elements that seem to be absent in every key facet of the Oxnard's Civil "Gang" Injunctions.

The major problem facing the OPD with their current "Opt-out" model is that, by the OPD's own admission, that many of the adults and youth that have been enjoined, since 2008, by the Oxnard Civil "Gang" Injunction, have never been advised of their right to petition the OPD or the DA and seek relief from continued law enforcement supervision. To be more magnanimous to the OPD, perhaps the enjoined never took the interest or the time and effort to find out about the "Opt-out" conditions and the required protocol to be "freed".

So during our last meeting, the OPD revealed to the community for the first time that about 70 adults and youth, from a list of over 368 enjoined, had been "opted-out" from the Civil "Gang" Injunction data base in the past 10 years. When we do the simple math;  $70 \div 10 = 7$



enjoined youth or adults are “opted-out” per year. This current OPD “Opt-out” process is a dismal failure, and that is why the OPD top brass is currently scrambling for community help.

The OPD must face the legal reality that with the current 11 “Opt-out” conditions/protocols they are stuck with inaccessible, ill-conceived and horrifically executed “Opt-out” element of their two constitutionally flawed Oxnard Civil “Gang” Injunctions.

CORE proposed three progressive Restorative/Rehabilitative Community driven “Opt-out” program concepts during our last meeting which included:

1. Collective “Triage” program: The Acuna Arts Collective, CORE and other partners have been floating in many departments of Oxnard government a Restorative and Rehabilitative Community driven “Opt-out” program to the city. This program provides professional “triage” assessment, a vocational/career plan; long term, extensive and practical support/assistance (by a community partnership that included employers, unions, professional, students, volunteers, parents and youth) to youth or adults as they navigate away from the ranks of the enjoined to free contributing members of their local community. A copy of our proposal has been on the desk of key players within Oxnard leadership for over a year.
2. The Freedom Project: Volunteer community members working with the OPD would review files, and under the supervision of the OPD, glean “opt-out” relevant information from the 368 existing enjoined youth and adult files. Once a determination is made by the community board and approved by the OPD, a Freedom Project volunteer(s) would visit the enjoined youth or adult review the current 11 existing “opt-out” conditions and requirements that the individual would have to complete to be eligible for permanent opt-out freedom. In addition career/vocational assistance would be provide to the enjoined that wanted to take on the freedom offer.
3. The “Opt-out” Community Pilot Project: A review of pertinent data and information such as age, years enjoined, schooling, vocational history and other factors that arm de in the preliminary assessment. A pilot group of very young (under 21) or older individuals (26-26) is “enrolled” in the KEYS pilot project of 10-20 enjoined who are committed to working on the “freedom” opt-out conditions. This can be a combination of the current 11 OPD conditions and/or selected from the CORE’s conceptual Restorative/Rehabilitative Community driven “Opt-out” program.

Chief Whitney, at the conclusion of the last meeting indicated that he would have to “reflect” on CORE and other community voices, suggestion and ideas that were proposed. CORE will await on these OPD deliberations. Meanwhile, CORE will continue our campaign to educate and inform the Oxnard community on the glaring constitutional flaws of Oxnard’s two Civil “Gang” Injunctions and how they may come to cost the local Oxnard taxpayer; if these 368 enjoined youth/adults were to decide to take their due process rights and grievances to court seeking relief and monetary damages.



## FINAL CHAPTER: OXNARD'S CIVIL "GANG" INJUNCTIONS ARE UNCONSTITUTIONAL

By, Armando Vazquez

September 11, 2018

This is the final; and most important article on the Oxnard Civil "Gang" Injunction series. We have come full circle and there is no way around it; the Oxnard Civil "Gang" Injunction as it is written and enforced today in Oxnard is unconstitutional! Both the **5th Amendment** and the **14th Amendment** of the US Constitution provide all citizens with equal protection of their right to life, liberty and property. No state shall make or enforce any law which shall abridge the privileges or **immunities** of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without **due process of law**; nor deny to any person within its jurisdiction the **equal protection** of the laws. **Due process** deals with the administration of justice and thus the **Due Process** Clause acts as a safeguard from arbitrary denial of life, liberty, or property by the government outside the sanction of law.

The Due Process clause in both the 5<sup>th</sup> and 14<sup>th</sup> Amendments are meant very explicitly to keep government on a short unambiguous leash. In 2005 and again in 2006 the Oxnard City Council caved into the tough on crime rhetoric and fear mongering, ignoring the Due Process clause, and elected to push for the enactment of the two Civil "Gang" Injunctions as a very sloppy and ill-conceived quick fix solution to the violence that was plaguing the community at the time.

The Oxnard City Council and the Oxnard Police Department, desperate and in full blown political panic got in bed with the devil and brokered a deal with the Ventura County District Attorney. In short order this inept law and order trifecta crudely cut and pasted together the Oxnard Civil "Gang" Injunction provisions that glaringly circumvented the

Due Process clause of the Constitutions by cynically creating a “corporations” out of the two gangs they were enjoining in the civil action. In this evil and sinister play on the word “corporation” the OPD’s gang “expert” could theoretically name every brown youth a gang member of the Chiques or Southside “corporations” by simply deciding to do so. Who needs the stinking Due Process clause when you can simply enjoin every brown kid in Oxnard be “expertly” claiming that he/she was part of the Chiques or Southside “corporations”!

As Melanie Ochoa, Attorney for the ACLU of So Calif., states, “injunctions turn common behavior into crimes, such as possessing everyday items like cell phones, drinking alcohol on your own front porch or in a restaurant, and associating with people the police also claim are gang members — even your own family. Officers’ gang designations are drawn from stereotypes and preconceptions based on clothing— anything from plaid shirts to basketball shorts to khakis—that they deem “gang attire,” associates, and if someone lives or socializes in alleged “gang areas”—which can include an entire community. Officers use injunctions to circumvent the protections afforded by a criminal prosecution, which is exactly why gang injunctions have been a significant tool in the LAPD’s arsenal despite no evidence they create a significant or sustained crime reduction. What they provide is the justification to stop, harass, and arrest Black and Latino community members”

In a 2017 class action lawsuit, which included Youth Justice Coalition, the ACLU and co-counsel Urban Peace Institute and Munger, Tolles and Olson challenged the city of Los Angeles’s enforcement of injunctions without first providing a hearing on active gang membership, claiming this practice violated their constitutionally protected due process rights. A federal court agreed, finding that the process was prone to error and granting a preliminary injunction prohibiting the city from enforcing its injunctions against anyone who has not had the opportunity to challenge the designation in court *before* they were made subject to the injunction. This is why the Oxnard Police Department in 2017 secretly suspended the enforcement of the two Civil “Gang” Injunctions in the Oxnard, they knew that if a class action lawsuit was file all they would probably end up on the costly and losing end of the lawsuit.

So it is not surprising but extremely revelatory that the OPD is now desperate to amend their fatally flawed Civil “Gang” Injunction language and protocol that would include some half-baked cops administered “Magistrate” hearing to determine active gang participation. This internally administered OPD kangaroo court that would determine active gang participation would not meet the privileges or immunities standard of the Due Process clause and will not pass constitutional muster. It is time that the Oxnard City Council abolish this horrific law enforcement “tool” of 15 years of OPD assault on the rights and liberties of those youth and adults currently enjoined. Our Constitution demands it; and it must come to an end now!



## **The Oxnard Successor Agency a history of Ineptitude and Negligence**

**By, Armando Vazquez**

**December 24, 2016**

Just imagine the State of California dressed as a Santa Claus, and in magnanimous gesture of civic good will and fairness decides that Oxnard is to give a once in life time “gift” in the way of full and total fiduciary disposal authority of 39 building/properties that the city of Oxnard Successor Agency currently has in its portfolio. And the city (for whatever reason) does absolutely nothing for six year years, absolutely nothing to dispose of these building/properties. Santa would feel dissed and be disappointed or angry, perhaps both! Take away the Santa Claus joke and you have the current state of affairs in Oxnard with respect to the “disposal of all assets” at the end of 2017.

In 2012 the California Legislature passed and Governor Brown signed into law California Health & Safety. Code Section 34179 AB X I 26 that officially dissolved the existing Redevelopment Agency of all municipalities/cities throughout California. Beginning in 2012 these municipalities/cities were mandated by California Health & Safety. Code Section 34179 AB X I 26 to “dispose of all assets” that the former Redevelopment Agency held in its portfolio.

In Oxnard the Successor Agency was created to “dispose of all assets” mandated by California Health & Safety. Code Section 34179 AB X I 26. Oxnard, as mentioned previously, has done nothing to “dispose of the buildings/properties”, and here in lies the current conundrum. This time around in 2018 the State of California will not be so benevolent and patient, and as the legal “owner” of these 39 Successor Agency buildings/properties the state has repeatedly threatens to “foreclose and fully rescind” the temporary right of “disposal of assets” completely away from the city of Oxnard for fiduciary foot-dragging. This would be devastating administrative negligence over a more than 6 year period on the part of the city of Oxnard. The people that would be grievously harmed by this incompetence are of course the taxpayers and citizens of Oxnard. The Ventura County oversight board would take over total control

There is a real and legal solution to the current fix the city of Oxnard finds itself in. California Health & Safety. Code Section 34179 AB X I 26 that in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed below are proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency to be transferred to a public jurisdiction (in this case, the City of Oxnard).

As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency, provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.”

We have done the researched on California Health & Safety. Code Section 34179 as added by AB X I 26 and shared the information that we gleamed with local legal, business, educational and social service stakeholders and they concur with the Acuna Arts Collective that we should sit down and talk about the extraordinary fiduciary possibilities that a “transfer of ownership” and other potential legal, financial and development “windows”, if explored and research, could immediately bring to the city of Oxnard. This is a once in a life time opportunity and can create an incredible out of the box kick start in the future downtown vision and development projects.

We have done due diligence research and shared the information that we gleamed with local legal, business, educational and social service stakeholders and they concur with the Acuna Arts Collective that we should sit down and talk about the extraordinary fiduciary possibilities that a “transfer of ownership” and other potential legal “windows”, if explored and research, could immediately bring to the city of Oxnard. This is a once in a life time opportunity and can create an incredible out of the box kick start in the future downtown vision and development projects.

We have made several official bids of acquisition, specifically to acquire the Social Security Building (445 South B Street, and adjacent parking lot property) over the past year. We have not received one return courtesy email or phone call, maybe you can help us get a meeting at the start of the year.

Based on past historical developments the Successor Agency will not produce one viable RFQ proposals or actual purchase offers on the Social Security Building or other Successors Agency buildings/properties. This lack of activity will trigger the Ventura County Oversight Board to move aggressively to take over all of the “disposition of asset” activities and actions. The Ventura County oversight board action will render the city of Oxnard as an impotent/incompetent/inconsequential bystander as the oversight board does as it deems appropriate with our (the people of Oxnard) property and assets. Let’s not let this happen, but we must act quickly, time is not on our side.

**We have provide the city of Oxnard with more than sufficient professional research material and legal arguments that should at the very least merit a serious meeting of the principal stakeholders (city of Oxnard, downtown stakeholder, local community leaders) with responsible city administrators. We have nothing to lose at this time, and the clock is ticking.**

**THE ACUNA ARTS COLLECTIVE**





From: Armando Vazquez, M. Ed. & Dr. Debbie De Vries, Directors, (12-18-17)  
The Foundation, for Educational & Employment Resources Development (EERD)  
To: Kymberly Horner, Successor Agency Director, Ruth Osuna & Jesus Nava, Assistant  
City Managers  
Re: Proposal: the Acquisition/ Partnership offer of the Social Security building (445 So. B  
St.)

**This is an acquisition offer and is proposed by the Acuna Art Community Collaborative Team (AACCT) collective (under the fiscal and administrative umbrella of the Foundation, EERD), a California non-profit 501 (c) 3 corporation and in accordance with California Health & Safety. Code Section 34179 as added by AB X I 26, that in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed below are **proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency** to be transferred to a public jurisdiction (in this case, the City of Oxnard).**

As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency; provided, **however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.**”

**We propose a Partnership with City of Oxnard (City)**, wherein AACCT and the City of Oxnard work as partners in the negotiated, stipulated and shared management and administrative responsibilities in the furtherance of creating, developing and maintaining a state of the arts multi-use arts/cultural, educational, social services, housing and commercial complex that is congruent with the Oxnard (Long-Range Redevelopment Downtown Management Master Plan). Accordingly, in accordance with AB X 1 26 the Ventura County oversight board shall direct the City of Oxnard’s successor agency to do all of the following:

**The Successor Agency of Oxnard, with the approval of the County of Ventura oversight board, shall transfer ownership the Social Security Building (SSB) properties (425-445 South B Street) to the City of Oxnard to then be managed and administered on a day to day basis by the Foundation, for Employment & Educational Resources Development, a 501 (a) 3 corporation for a governmental purpose (i.e., parks, recreational facilities, children’s facilities, cultural facilities.) Since the properties were acquired and constructed with public funds they fall under the designated “ public purpose” as clarified in AB X 1 26, and thus this proposal matches this used for a public purpose and complaints perfectly with the Oxnard long-term downtown redevelopment plan.**

We further propose to The City of Oxnard Successor Agency and the City Mangers Office to the transfer of ownership of the SSB Properties and adjacent parking lots (445 South B Street) for this governmental (art and cultural center) purpose; and authorize the Foundation, EERD, to manage and administer The Social Security Buildings and parking lots a single, unified set of properties using a restricted revenue source generated from the SSB Properties (which will include but not be limited to rental, lease and professional fees, and other revenue-generating contract to be specified as contracts are secured).

The Successor Agency’s restricted revenue stream and related enforceable obligations will be transferred along with the SSB buildings and adjacent properties to the City, so the City can continue to fulfil the Successor’s Agency’s disposition obligations. Since the SSB Properties will be transferred in ownership to the City for a governmental purpose, the transfer value is zero dollars.

This new partnership between the City of Oxnard and the Foundation, EERD creates a dynamic private/public business agreement that dramatically enhances the city of Oxnard’s ( Immediate and Long-Range Redevelopment Management) Master Plan and serves as a unique and robust anchor for the entire downtown re-development area.

Armando Vazquez, Executive Director	Armando Vazquez
Dr. Debbie De vries, Executive Director	Dr. Debbie De Vries
The Foundation, for Employment & Educational Resources Development (EERD)	

cc: Greg Nyhoff, City Manager  
Jesus Nava, Assistant City Manager  
Jeff Burgh, Chairperson Successor Agency  
Kimberly Horner, Successor Agency Director  
Barbara Macri-Ortiz, Attorney at Law

**THE ACUNA ARTS COLLECTIVE**





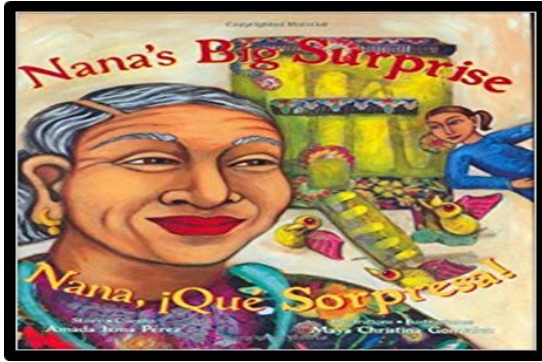
445 South B Street, Oxnard Ca. 93030      [ava1040@yahoo.com](mailto:ava1040@yahoo.com) (805) 216-4560  
To: Chelsea Reynolds, Interim Cultural Affairs Director, Dr Margaret Cortese,  
President of Cultural Arts Commission, Carmen Ramirez and Oscar Madrigal, City  
Councilmembers, Jesus Nava, Interim City Manager  
RE: Flor y Canto Arts & Cultural Summer Program '2018      Date: June26,  
2018

**Request:** The Acuna Arts Collective, is requesting that the Oxnard Arts Commission consider partially funding our Art & Cultural Summer Program that we will be coordinating with the city of Oxnard, our community partners and the residents of Oxnard. Below is the partial calendar of events that we will provide to the residents of Oxnard this summer.

**Project Proposed:**

CELEBRATING OUR ARTS MASTERS: Beginning in July, 2018 AACT officially begins the process of memorializing in word, art, videos and forums Maestra/os of the Oxnard and Ventura County region. The practices of honoring our Art Maestros is not new to the arts world. In Oxnard, it can lead our community to an exciting, new and timely self-determination introduction to the celebration and academic recognition of the work that our Maestra/os have created in their careers. This honoring of our artists is a gift to us, our children and the society at large. Manuel Unzueta, Chicano Maestro artist, professor and poet will be our first honoree. Manuel has been involved in the Chicano movement since its inception in the late 1960's. His work in Santa Barbara, Oxnard and throughout the tri-counties has resulted in the empowerment of thousands of youth, students and activists. We take particular pride in honoring Manuel because in a real sense Manuel is the epitome of why we must document and memorialize the arts work of our maestros. You may recall (see the image above) that on March 1, 2013 a fire destroyed more than 1000 original arts pieces that Manuel had created over more than four decades. Yes, more than ever we must preserve our arts and cultural treasures in our community.

THE FLOR Y CANTO MEET THE ARTISTS SERIES



FERIA DE LIBROS: Coming in September, 2018, The Flor y Canto “Meet the Artists” series will celebrate exciting arts and cultural events that will bring renowned artists (all disciplines) to the Oxnard community. We have invited more than 50 local and renowned authors to participate. We will again honor our own master writers, Amada Perez, Florencia Ramirez, Rene Corado and, Martin Gonzalez, Dennis O’Leary and other local authors. We will have these master writers read from one or more of their books that will be followed by an author’s panel presentation to the community.

MAESTRA/OS ARTISTS RETROSPECTIVE: Important retrospective fine art exhibitions will be curated and staged that will showcase important local fine arts masters. Our first art exhibition is scheduled for September-October, 2018 and we will have a group master art exhibition that will showcase Jaqueline Biaggi, Lynn Creighton, and Janice Neuhaler. This Master art retrospective promises to be one of the most important art exhibitions staged in Oxnard and Ventura County.



PRIMAVERA EN FLOR Y CANTO: PRIMAVERA EN FLOR Y CANTO: We will welcome Spring, 2018 with a variety of dance and performance arts celebration that will include performances by One Love Dance Company of Oxnard, NEMA, Mariachi workshops and performances, and the Flor y Canto Teatro, which will shares a series of one act plays. Former KEYS students will perform THE GIFT: A STORY OF REDEMPTION in March, 2018.



FLOR Y CANTO EN OXNARD: Armando Vazquez has been an artist, writer and arts aficionado for over 50 years, and has worked in Mexico, Los Angeles, the barrios of Santa Barbara, San Fernando, Pacoima, Oxnard and Ventura; so along with the privilege of traveling throughout the Americas and admiring, studying and purchasing our magical art and culture he is has had the honor and distinct pleasure of curating and coordinating countless arts exhibitions, concerts, performances and lectures in our local community!.

Based on that extensive history Armando unequivocally believes that the Oxnard region has a uniquely creative and ethnically diverse world class concentration of talented artists. Because of our rich cultural abundance within the city there is no need to again seek outside of our community to “begin again” an arts renaissance in Oxnard, it is here already, all we have to do is make a concentrated effort to engage and support the artist. There is no need to travel outside the city to learn the “secrets of renaissance arts” success from other cities. Oxnard has the artists here, right now, which needs to be supported right here in our community. Let us not spend our time, resources and money and be misguided into believing we must look far away. We can celebrate what untapped cultural riches we have right now.

The Café on A/Acuna Arts & Cultural Center in Oxnard created an incredibly successful, democratic, important, culturally/ethnically congruent and eclectic template for art

culture on the local level to flourish right here. So instead of spend our limited energy, resources and funds, we can achieve this sharing of cultural abundance here in Oxnard for just pennies on the dollar. We don't have to look any further! The forgotten artists (many disciplines are richly represented) are here, creating magical art and are in desperate need to receive our local governmental and institutional support (in faith, money, locales, in-kind support).

The Acuna Arts Collective is humbly doing all it can (at no cost to the community) to promote the magical and diverse art scene in the Oxnard region. We are asking the city of Oxnard to continue to partner with us so that we are functioning as wise, fiscally astute stewards, ambassadors and active participants of the local arts in Oxnard.

**Funding Request: The Acuna Art Collective** is requesting that the Oxnard Cultural Arts Commission provide **\$10,000.00** in funding for this this arts and cultural summer programing. The funds will be used to purchase arts supplies and material that will be used in various workshop provided to youths and their families. Additional funds will also be used for payment of local arts events fees that our families will be involved in. Funds will also be used to pay stipends for the many artists and performers that will provide classes, programs and events to our residents. Finally, gallery rent, opening exhibition costs and expenditures will also be covered by the requested funds. Finally, we are requesting a modest honorarium for the time that our dedicated group of arts partners will provide in hosting an opening night receptions, community art/cultural education and art outreach to local community.

Respectfully,

Dr Debbie DeVries, Armando Vazquez, M.Ed.

Executive Directors, The Acuna Arts Collective (The Foundation, EERD)



## **THE FOUNDATION, FOR EDUCATION & EMPLOYMENT RESOURCES DEVELOPMENT**



**445 South B Street, Oxnard Ca, 93030 [ava1040@yahoo.com](mailto:ava1040@yahoo.com)**

The president of the Board of Directors of the Foundation for Education and Employment Resources Development is please to present this letter of commitment to be the fiduciary umbrella for the Oxnard Public Lands Partnership, which represents over 15 private and public community based organizations and institution that are working to continue forge a stronger and united partnership with the city of Oxnard. This progressive grass roots partnership is committing over one million dollars in in-kind services, and programs for the benefit, empowerment and wellbeing of all residents of Oxnard. We believe that this show of community unity and fiscal strength will augment and improve the delivery of social services to all residents of Oxnard.

The Oxnard Public Lands Partnership is requesting that the city of Oxnard provide the utilization of the Social Security Building at 445 South B Street, Oxnard, and any other location that is mutually agreed to in the future to improve and increase the delivery of vital social services to our community. We are request a time period of 10 years to fully execute our three phase planning and development project.

Attached for your review are the letters of commitment from our Oxnard Public Lands Partnership.

Respectfully,

Armando Vazquez, M.Ed.

Dr. Debbie DeVries, Executive Directors

The Foundation for Education & Employment Resources Developmen

# THE ACUNA ART COLLECTIVE



OLD SOCIAL SECURITY BUILDING (445 SO. B ST.) AS CURRENT ACUNA ART GALLERY COLLECTIVE SPACE

## **Notes from the Acuna Arts & Culture Gallery Collective: Our efforts to acquire a permanent home in Oxnard!**

**By, Armando Vazquez**

**September 23, 2017**

The Acuna Arts & Culture Collective met Friday, September 22, 2017, at our temporary art gallery, the old Social Security building located at 445 South B Street in Oxnard. Up until we negotiated a temporary use agreement with the city of Oxnard this old historic building had been left vacate and abandoned by the city and the community for more than 7 years. Thanks to the progressive vision of Jesus Nava, Assistant City Manager, the city of Oxnard is permitting limited use of the Social Security building to certain non-profits in the community.

The Acuna Arts & Culture Collective is a progressive, activist, and passionate locally based group of community artists, business folk, activists, students and parents who are working to sustain the arts and cultural renaissance that is in its embryonic stages in Oxnard. This community arts and culture movement was largely initiated two decades ago by the now defunct Café on A/ Acuna Art Gallery & Cultural Arts Center and it's many long-time committed supporters.

In attendance at the September 22, 2017 meeting were the following community representatives: Dr Debbie De Vries, Armando Vazquez, M.Ed., Executive Directors of the Foundation, EERD, and curators of the current Latino Visions in Oxnard '2017 Exhibition, Julie Medina, director of the Las Salseras, One Love Dance Company and Artists' Women's Interactive Network (A WIN), Rene Corado, bestselling author and preeminent local biologist & environmental activist, Christian Quirino, local writer&

activist, Richard Arcia, Artist, Julian Vergara, Artist, Tina Holguin, Realtor and activist, Alexis and Isaac Medina, student activists.

The topic of discussion was how do we best coordinate and maximize our community efforts to permanently acquire the Social Security building from the city of Oxnard's Successor Agency, and develop the building into a multi-use complex that provides art, retail, education, social service spaces as well as housing for students, low income, seniors, and special needs populations in downtown Oxnard?

A concise presentation was made by Armando Vazquez and Dr Debbie De Vries, on the history of Redevelopment Agencies in the United States, their impacts in California and Oxnard, the elimination, by Governor Jerry Brown and the state legislature of the Redevelopment Agency more than a decade ago; the creation of the state wide Successor Agencies that were burdened with the liquidation of the defunct Redevelopment Agency property portfolios; and the problems facing Oxnard's Successor Agency as it tries to liquidate the properties they have in their current portfolio. It was a crash course on the current state driven mandates facing the city of Oxnard's Successor Agency. It is safe to say that the city of Oxnard's current conundrum is a once in a life time community opportunity to seize the moment, mobilize, acquire the historic Social Security building and convert the property into the transparent and democratically envisioned multi-purpose community development that is so desperately needed in the downtown area.

It was agreed that the vast majority of the residents that our collective has canvas in Oxnard in recent months want and would support vigorously a campaign to have The Acuna Arts & Culture Collective permanently acquire the Social Security building for development of a multi-use complex to serve the community as mentioned above. In order to get full participation and provide mass exposure to our acquisition efforts it was agreed by The Acuna Art & Culture Collective that we should produce a community public relations campaign that will include a video production serving multiple purposes, including; information and negotiation, democratic transparency to the Oxnard community, serving as an educational and political tool that complements other communication and information strategies which we will continue to be developed.

So now the hard work begins! As with all new, complex and innovate ventures getting the state, the city and residents of Oxnard on the same informed page will be a challenge but not impossible. We must convince the Oxnard Successor Agency, the State of California, local stakeholders and residents that The Acuna Arts & Culture Collective is a solid and viable potential "buyer and developer" of the Social Security building. In presenting our commitment and support we can demonstrate that we have a wide range of influential and important strategic partnerships in our venture that include the Laborers Union Local 585, UFW, ODMD, a variety of non-profits and social service providers, local colleges and universities, many local businesses, local politicians, artist

and educators, and strong grass roots support from many residents and students of Oxnard.

In January of 2017, The Acuna Arts & Culture Collective tendered an initial purchase offer to the city of Oxnard's Successor Agency to purchase the Social security building, 445 South B Street, and to date we have not yet received a response to our bid. In fairness to the city of Oxnard we think that the administration was scrambling to "get their ducks in a row" and were so inundated with state mandates and directives that it was nearly impossible to respond to local purchase inquiries and bids. This is now the closing days of September, 2017 and we feel that the city of Oxnard has now had sufficient time to get it Successor Agency property liquidation protocol in order. We are aware that recently the Successor Agency issued a public Request for Formal Qualifications (RFQ) and that during this initial formal process there wasn't one formal RFQ submitted to the city for consideration.

We requested recently that the city of Oxnard be more transparent in it public notice and informational RFQ campaign as it involves the very important actions of the liquidation of "tax payer" property. Kimberly R. Horner, Economic Director and lead city administrator of the Oxnard Successor Agency property portfolio liquidation campaign has indicated that she will make sure that there is a more expansive and universal community outreach efforts when it begins it second round of RFQ solicitations that should begin before this year has ended.

The Acuna Arts & Culture Collective offers its commitment and community development expertise to the city of Oxnard to assure transparency and universal inclusions of all of the Oxnard community in maximize resident input and participation into this very historic development project.

The Acuna Arts & Culture Collective objective is to submit a second formal bid to acquire the Social security building to the city of Oxnard before the end of the year 2017. We welcome and encourage community involvement and participation in this historic effort to acquire the old Social Security building. Only with the critical mass of community participation, conscience informed involvement and hard work will we be able to make this once in a life time community development project a reality which all of the residents of Oxnard so richly deserve. Joins us please at our next meeting of The Acuna Art & Culture Collective acquisition of the Social Security building which will be held next Friday, September 29, 2017 at the Social Security building, located at 445 South B Street ( across from the Plaza Cinemas).





**The Acuna Arts Collective/ Oxnard Public Land Trust Conservancy and our community partners want to help in the dynamic reassurance and redevelopment of the historic downtown Oxnard area. Here is how our proposal will benefit all of Oxnard.**

1. Disposition of Successor Agency: Our proposal provides an immediate and legal protocol to dispose the Social Security building (adjacent parking lots) and the rest of the Successor Agency property portfolio by transfer of ownership to the City of Oxnard.
2. Transfer of Ownership: By having the Successor Agency transfer of ownership of the Social Security building to the city of Oxnard literally millions of dollars are maintained in the complete control by the city of Oxnard and not the many governmental entities that would share in the proceeds if the Social Security building was sold. This legal transfer of ownership is an astute fiduciary action by the city of Oxnard that protects and maximizes the financial interest of the citizens of Oxnard.
3. Immediate and prudent fiduciary fiscal and planning placeholder: The transfer of ownership immediately stops the “bleeding” for the Social Security building and provides a prudent and progressive out of the box template for the disposition of Successor Agency assets and properties.
4. Partnership with The Acuna Arts Collective, under the legal umbrella of the Foundation, For Educational and Employment Resources Development (EERD) with the city of Oxnard for the management and administration of an arts and cultural center will immediately create a highly innovative fiscally sound partnership between the city of Oxnard and the Foundation, EERD. The partnership maximizes the unique skills and expertise of the Foundation, EERD a renowned arts and cultural institution, and the city of Oxnard.
5. Immediate world class arts and culture programming at pennies on the dollar for the city of Oxnard. The Acuna Arts Collective will provide a conservative \$300,000 of “in-kind arts and cultural programming” in the first year. As our partnership with the arts and cultural community increase and solidify the partnership will increase the “in-kind arts and cultural programming revenue and services provided to the city and the residents of the community.
6. The Acuna Arts Collective in partnership with the city of Oxnard and downtown partners and stakeholders will develop a three stage operational/program plan that is congruent and complimentary to the Oxnard downtown redevelopment master plan.

7. **Critical Mass:** The partnership between the Foundation, EERD and the city of Oxnard begin an important and critical first step (by the occupation and management of the Social Security building) in the process of eliminating the blight and “broken window” syndrome that currently plagues the downtown sector of Oxnard.

Continued Critical Mass: In moving forward we plan out phases (immediate, intermediate and long term) with our unique stakeholder partnership between the city of Oxnard and the community stakeholders we create a progressive synergy that will create exciting arts, cultural, educational, financial and social service opportunities for the entire Oxnard.

# THE ACUNA ART COLLECTIVE



From: Armando Vazquez, M. Ed. & Dr. Debbie De Vries, Executive Directors,  
The Foundation, for Educational & Employment Resources Development (EERD)

To: Kymberly Horner, Successor Agency Director October 16, 2017

Re: Proposal: the Acquisition of the Social Security building (445 So. B St.)

**This is an Acquisition offer and is proposed by the Acuna Art Community Collaborative Team (AACCT) collective (under the fiscal and administrative umbrella of the Foundation, EERD), a California non-profit 501 (c) 3 corporation and in accordance with California Health & Safety. Code Section 34179 as added by AB X I 26.**

**We propose a Partnership with City of Oxnard (City)**, wherein AACCT and the City of Oxnard work as partners in the negotiated, stipulated and shared responsibilities of creating, developing and maintaining a state of the arts multi-use arts/cultural, educational, social services and commercial complex that is congruent with the Oxnard (Long-Range Redevelopment Downtown Management) Master Plan. Accordingly, in accordance with AB X 1 26 the oversight board shall direct the City of Oxnard's successor agency to do all of the following:

This proposal is that The Successor Agency shall transfer the Social Security Building (SSB) properties (425-445 South B Street) to the City of Oxnard to then be managed and administered by the Foundation, for Employment & Educational Resources Development, a 501 (a) 3 corporation for a governmental purpose (i.e., parks, recreational facilities, children's facilities, cultural facilities.) Since the properties were acquired and constructed with public funds they fall under the designated "public purpose" as clarified in AB X 1 26, and thus our proposal matches this used for a public purpose.

We further propose The City's Office of the City Administrator will agree to accept the SSB Properties for this governmental purpose and then to manage them as a single, unified set of properties using a restricted revenue source generated from the SSB

Properties (which will include but not be limited to rental, lease and professional fees, and other revenue-generating contract to be specified as contractors are secured). The Successor Agency's restricted revenue stream and related enforceable obligations will be transferred along with the SSB Properties to the City, so the City can continue to fulfill the Successor's Agency's long-term obligations. Since the SSB Properties will be transferred to the City for a governmental purpose, the transfer value is zero dollars. This new partnership between the City of Oxnard and the Foundation, EERD creates a dynamic private/public business agreement that dramatically enhances the city of Oxnard's (Immediate and Long-Range Redevelopment Management) Master Plan and serves as a unique and robust anchor for the entire downtown re-development area.

Armando Vazquez, Executive Director

Armando Vazquez

Dr. Debbie De vries, Executive Director

Dr. Debbie De vries

The Foundation, for Employment & Educational Resources Development (EERD)

cc: Greg Nyhoff, City Manager

Ruth Osuna, Assistant City Manager

Jesus Nava, Assistant City Manager

Jeff Burgh, Chairperson Successor Agency

## THE OXNARD PUBLIC LAND PARTNERSHIP



445 South B Street, Oxnard, Ca. 93030 (805) 216-4560 [ava1040@yahoo.com](mailto:ava1040@yahoo.com)

OPENING PUBLIC LAND FOR PUBLIC GOOD ABRIENDO TIERRAS PUBLICAS PARA EL BENEFICIO DEL PUEBLO

To: Tim Flynn, Mayor, Scott Whitney, and City Manager & City Council of Oxnard  
February 19, 2018

From: Armando Vazquez, Executive Director, The Foundation, EERD

Re: The Transfer of Ownership of Successor Agency Buildings/Properties to the City of Oxnard and the Oxnard Public Land Partnership

For the past 24 months, The Foundation, EERD has been working with the Acuna Arts Collective, the Oxnard Multicultural Health Coalition, Laborers Union Local 585, CSUCI, CSUN, SEIU, CAUSE, the local Longshoremen's Union, Clinicas Del Camino Real, Montecito Bank, One Love Dance Company, Unity in Recovery, The KEYS Leadership Academy, as well as other strategic community leaders, business, education, and social service stakeholders to create a partnership with the City of Oxnard in an attempt to forge a local, diverse and congruent Oxnard Public Land Partnership plan for the disposition of the current building/property (approximately 39) assets in the Successor Agency current portfolio.

We know that you are super busy and have a million and one city related assignments on your plate. Due to the nature of the work and the extraordinary events that are currently consuming the city of Oxnard I don't see a slowing of operational management by crisis in the near future. If anyone can bring a steady hand, a bright mind and unwavering professional work ethic to the City Manager's offices, it is you.

That is why I am reaching out to you on behalf of our collaborative. In the current chaos of the city of Oxnard we think that great opportunities could be missed. One of those opportunities is to look at Successor Agency buildings/properties and think outside the box, like so many California cities have already done (Los Angeles, Hemet, Santa Ana, and San Francisco, Moorpark, Thousand Oaks and Ventura, to mention a few) with the "transfer of ownership" clause in California law.

We have done our due diligence research on the code which allows transfer of Successor Agency Properties to a city for community service enrichment, prosperity, and safety, i.e. California Health & Safety. Code Section 34179 as added by AB X I 26. We have shared this invaluable research and information that we gleamed with Oxnard city management, local legal, business, educational and social service stakeholders and they all concur with the Acuna Arts Collective that we should sit down and talk about the extraordinary fiduciary possibilities that a "transfer of ownership" and other potential legal "windows", if explored and acted upon could immediately bring to the

city of Oxnard. This is a once in a life time opportunity and can create an incredible out of the box kick start in the future downtown vision and development projects. We have nothing to lose at this time, and the clock is ticking very fast.

The Foundation, EERD (The Acuna Arts Collective) has made several official bids of acquisition, specifically to acquire the Social Security Building (445 South B Street, and adjacent parking lot property) over the past year. We have not received one return courtesy email or phone call, you can help us get a meeting at the start of the year. Based on past historical inactivity and lack of success on the part of the Successor Agency, we are afraid that in the next six (6) months the Successor Agency will not be able to produce one viable RFQ proposals or actual purchase offers on the Social Security Building and adjacent properties or any other Successor Agency buildings/properties. This total lack of active success will trigger the state of California through their local proxy, the Ventura County Oversight Board, to move aggressively to take over all of the “disposition of assets” activities and actions.

The Ventura County oversight board action will render the city of Oxnard as an impotent/incompetent/inconsequential bystander as the oversight board does as it deems appropriate with our (the people of Oxnard) property and assets. This take over by the county oversight board is projected now to take pace no later than July 1, 2018. Let’s not let this happen, but we must act quickly; time is not on our side.

We have provided the city of Oxnard with more than sufficient professional research material and legal arguments that should at the very least merit a serious meeting of the principal stakeholders (city of Oxnard, downtown stakeholder, local community leaders) with responsible city administrators.

Here is what we are currently proposing to you as the (Interim) City Manager and what we have proposed previously to the Successor Agency and the City of Oxnard. Our collaborative presents this idea with unanimous approval by a very strong and respected ad hoc committee of local CBO’s, unions, educational institutions, businesses, students, artist and stakeholder residents of Oxnard.

For the sake of clarity, brevity, and “disposal of assets” we believe that it would be in the best interest to stipulate to some agreements, so that in our very limited meeting time we do not get bogged down in the bureaucratic weeds. Below are some foundational basics that we believe that we can all agree on as California law. To recap:

1. In 2012 the California Legislature passed and Governor Brown signed into law California Health & Safety. Code Section 34179 AB X I 26 that officially dissolved the existing Redevelopment Agency of all municipalities/cities throughout California. Beginning in 2012 these municipalities/cities were mandated by California Health & Safety. Code Section 34179 AB X I 26 to “dispose of all assets” that the former Redevelopment Agency held in its portfolio.
2. In Oxnard the Successor Agency was created to “dispose of all assets” mandated by California Health & Safety. Code Section 34179 AB X I 26.
3. California Health & Safety. Code Section 34179 AB X I 26 in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed

below are proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency to be transferred to a public Jurisdiction (in this case, the City of Oxnard).

4. As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency, provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.”

If we can agree that these four conditions provide us the legal underpinning to pursue the transfer of ownership of the Successor Agency of one or all assets to the City of Oxnard, then we can work in partnership in supporting the details of California Health & Safety. Code Section 34179 AB X I 26 guidelines listed above so that: The Foundation, EERD and community collaborators may enter into a contractual agreement with the City of Oxnard to create a multi-faceted, multi-dimensional arts and cultural in the Social Security Building, located at 425-445 South B Street, Oxnard.

Below are the names of those community stakeholders that attended our latest Oxnard Public Land Trust meeting and unanimously agreed to invite you to meet with us at our next meeting schedule for Wednesday, January 24, 2018 at 11 AM at the Social Security building (445 South B Street).

Dr. Debbie DeVries, Associate Director, The Foundation, EERD

Armando Vazquez, M.Ed, Executive Director, The Foundation, EERD

Jess Ramirez, Harbor Commissioner, Longshoreman local union, Activist

Danny Carrillo, SEIU 721

Anthony Mireles, Laborers Local 585

Lucas Zucker, CAUSE

Raul Lopez, CAUSE

Esteban Agua, Student Intern

Johnny Quintero, F&J Construction Co., Community Mentor

Julie Medina, One Love Dance Co.

Hector Colon, AA Activist

Josue Ruiz, Student Trustee, Ventura County Community College District Board

Jaqueline Biaggi, Artist, Mentor

Alexus Medina, Student. KEYS student

Laura Flores, MFC, Mental Health Advocate

Mark Spencer, Community Educator/Artist

Thank you, Scott and we eagerly await your response. We think this meeting is one of those seminal once in a life time opportunities for the entire community to seize the moments. It will create a wondrous, progressive and redemptive opportunity for the city to re-acquire through the legal protocol of transfer of ownership some or all of the buildings/propertied that rightfully belong to all of the residents of Oxnard.

Respectfully, Armando Vazquez, M.Ed., Executive Director

The Foundation, EERD, & Oxnard Public Land Partnership





445 South B Street, Oxnard, Ca. 93030 (805) 216-4560 [ava1040@yahoo.com](mailto:ava1040@yahoo.com)

OPENING PUBLIC LAND FOR PUBLIC GOOD ABRIENDO TIERRAS PUBLICAS PARA EL BENEFICIO DEL PUEBLO

#### THREE PHASE TIME FRAME FOR DEVELOPMENT

PHASE ONE (1): TIME FRAME: JANUARY 1, 2016 TO PRESENT AND CONTINUING: 1.

Community education/information and recruitment, creating informed, knowledgeable and committed community partners. 2. Begin the process of identification of potential financial, planning, and architectural and construction (Union driven) partners. 3. Private/Public partnership defined and strengthened.

CURRENT, IMMEDIATE ON GOING IMPLEMENTATION OF PHASE ONE TIME FRAME

#### 1. A COLLEGE EXTENSION PARTNERSHIP:

We have been in serious and extended negotiations with local colleges and universities; Oxnard and Ventura Colleges as well as CSUCI, CSUN, and local vocational colleges to partner with us. An obvious benefit to institutions of higher learning is to partner closely with the largest city in Ventura County from which to recruit, enrol and provide educational programs and services. We will utilize educationally solid anchors and their reliable rent to sustain the initial build-up. We facilitate the schools of higher learning in meeting their core mission to outreach to the Oxnard community.

#### 2. A HARDWORKING SOCIAL SERVICE COURT:

The ACCT developer and partners will use its 25 years of providing best practices, nationally recognized programs and curricula to recruit the best practices social services providers to become part of the ACCT court of social services providers to work in synergistic expertise and bring into immediate proximity the population they are charged to serve. Thus: one-stop shopping for local ethnically congruent social service at its cutting edge best, with important ancillary supports by the local government.

#### 3. A WORLD CLASS ARTS & CULTURE CENTER:

To create spaces capable of drawing an anticipated 1,000 visitors a day, ACCT is working with the Laborers Union 585, local architects, local developers and the city of Oxnard to design the Oxnard Renaissance Zocalo, a multi-use complex that will house arts studios, performance space, and retail gallery and show room space for the artist of the community. Adjacent to the complex, ACCT will work with the city to create El Jardin De Los Artistas, a 5,000-square-foot outdoor art space. The ACCT project location is adjacent and in harmony with current Plaza Park's public space amenities.

#### 4. BUSINESS INCUBATORS:



To further financially anchor our complex, business incubators space will be offered and available first to local business (Grocery Outlet, 5150 Designs, Café on A (internet), Acuna Books, as well as others small local businesses that will promote business education and opportunities. We will also recruit large business retailers which have a history of community service and support, such as Patagonia, among others. (A balance of small and locally owned business must be complemented by established retailers so that we are assured of a smooth funding stream.)

5. A HEALING LIVING LANDSCAPE:

15% (a fluid approximation) of the site will remain open public space which creates a private non-profit development with broad public appeal. This means that simple needs such as unisex public restrooms, working faucets, comforting benches, and green space (a priority) are available. The ACCT project gives the city of Oxnard residents a once- in- life- time opportunity to visualize and create a progressive user friendly multi-use complex unique to Oxnard.

6. A WORLD FOOD COURT:

Oxnard has one of the greatest variety of foods and restaurants in the state. These great local restaurants create some of the best cuisine in the world. We will recruit (initially) locally- owned restaurants and then recruit larger established restaurant businesses that have demonstrated a commitment to social service to the community. We want our residents and visitors to have a holistic guest positive experience that nurtures and encourages folks to stay a while and then return to our user-friendly space in the heart of downtown Oxnard.

7. ENCHANTED GARDEN FOR CHILDREN:

Space (multiple spaces) will be provided so that our children feel and are loved, well-taken care of and nurtured. These spaces will take into account the needs of the modern nuclear family and the various and challenging needs facing the children, parents and the families of our community. We will have an active, state-of-the- art childcare center (free of charge) for our local residents while using our center, receiving classes, social services, dining and recreating in our complex. Our children must be safe and nurtured, and the adults must be given the time and support they need to maximize a transformational experience each and every time they visit our complex.

PHASE TWO (2): TIME FRAME: IMMEDIATE TO FIVE (5) YEARS: 1. Immediate research and due diligence on formalization of financial, architectural, planning, developer, construction partnerships. 2. Formalize private/private roles and partnerships. 3. Begin preliminary modification construction at the Social Security Building to accommodate our community partners and specific needs; concurrently provide union sponsored training and work for our community.

PHASE THREE (3): TIME FRAME: IMMEDIATE (PARTIAL TERMS 1-10 YEARS ON GOING AND EVOLVING) 1. Formalization of financial partners, Architectural plans, development planning and Construction costs. Formalize contracts with construction union partners. Strengthen Private/Public Partnership.

This initial concept just presented is, of course, fluid and subject to change as we continue down the path of acquiring the Social Security building and the adjacent lots that surround this SSB location. As visionary urban development leaders in Oxnard this

project is designed in such a way that acts as an important blueprint for other cities throughout the country to emulate. Finally, please feel free to think of this document as a rough blueprint to be used by you, the local stakeholder, in this exciting project. We look forward to your input so that we can dream, visualize and create an ideal space. As I have said repeatedly through the years, the only thing that can limit us is our lack of imagination and solidarity. Junto Si Podemos! Together we can do it!



#### **LAS SALSERAS PODEROSAS DE OXNARD**

#### **Services to be provided by the Salseras Poderosas de Oxnard to the City of Oxnard in Lieu of Rent & other Considerations**

All services outlined in this exhibit represent contractual services or programming to be provided to the residents of Oxnard on behalf of the municipality of Oxnard. Services are provided in exchange for rent and other considerations at “The Social Security Building”, 445 South B Street, Oxnard 93030.

Las Salseras Poderosas (Las Salseras) de Oxnard has a 10 year local history of providing programs that foster the expression and application of human creative skills, imagination and perseverance for at-risk youth, need to acquire relevant and timely educational, employment skills women, youth and their families of the greater Oxnard region. Our services aim to strengthen the physical and mental health of our mostly factory and farm working women, and to help them become knowledgeable and empowered agent of their live.

The mission Las Salseras is to engage the multi-ethnic community of factory and farm immigrant women of Oxnard by emphasizing ethnically and culturally congruent programs, classes, convivios and events that focus on healthy lives, civic empowerment and community service. The vision of Las Salseras is to empower women to become agent of a change in their local communities.

The principle and defining philosophy of Las Salseras is to empower immigrant, farm and factory women to become active agents of change in their community, and work actively to promotion on a city wide basis a movement that will promote the greater health and wellbeing to all residents of Oxnard.

In exchange for rent and other consideration the staff of Las Salseras provide services in each of the following main areas:

A: Healthy Lives Classes and training (emphasis factory and farm workingwomen).Class room healthy lives classes training at location in multiple locations. The monetary value of the healthy lives classes and training is estimated at \$20,000.

B. On site job training in the area of health coaches, exercise instructors, child care providers and other work experiences throughout Oxnard as a public health benefit project .The monetary value of the multicultural arts and events is estimated at \$10,000.

C. Community Enhancement projects: Working partnership with the city of Oxnard and community partners that will enhance the health and quality of life for the residents of Oxnard, projects can include the Ormond Beach wetlands, local parks, beaches and

community and public venues and locations. The monetary value of the Community Enhancement projects is \$10,000.

D/E. Employment and Job Fairs and Vocational Events: (Emphasis on farm and factory women, at-risk youth, and their families)

Las Salseras will plan, schedule, organize, coordinate and conduct a minimum of six (6) public/private recruitment and job fairs and employment events for the benefit for the farm and factory working women and their families. Las Salseras will collaborate with health, educational, community based cultural organizations and the city of Oxnard in partnership to maximize the success of these community events. The combined D/E monetary value of these job fairs with (emphasis on farm and factory and at risk youth) \$10,000.

THE TOTAL YEARLY PROGRAMMING AND MONETARY VALUE OF SERVICES TO BE PROVIDED

	Services Provided	Value Provided
A.	Class room Construction skills acquisition training	\$20,000
B.	On site, city wide training & work experience	\$10,000
C.	Community Enhancement projects with partners	\$10,000
D.	Construction Job Fair and Informational Vocational Events	\$5,000
E.	Youth and Women Outreach and Recruitment	\$5,000
	Total Value:	\$50,000

Value of volunteer time is calculated at \$24.14 as determined by Independent Sector the national membership organization that brings together a diverse set of nonprofits, foundations and corporations to advance the common good of the community, See [www.independentsector.org](http://www.independentsector.org).

Lucy Munoz, Lider de Las Salseras Poderosas

# The Acuna Art Gallery & Cultural Center



445 South B Street, Oxnard, Ca. 93030 (805) 216-4560 [ava1040@yahoo.com](mailto:ava1040@yahoo.com)

OPENING PUBLIC LAND FOR PUBLIC GOOD

ABRIENDO

TIERRAS PUBLICAS PARA EL BENEFICIO DEL PUEBLO

Estimated Cost Benefits to City of Oxnard for Café on A/Acuna Gallery to be in partnership January 7, 2017

*City of Oxnard Provides:*

*Building; Prefer 425 South B, or 418 W 4<sup>th</sup> Street, Gull Wings Building, Oxnard 93030*

*Main Areas:*

- A. *Workshops and Instruction*
- B. *Art and Art Events*
- C. *Workspace for Artists*
- D. *Community Gallery*
- E. *Youth Community Service*
- F. *Women's Health and Support Groups*

City Events:

- *Local Art Competition*
- *Art Crawl*
- *Hispanic Heritage Month Activities and Support*
- *Dia De Los Muertos, Altars and Integration of the Arts*
- *Healthy Women Celebration*
- *KEYS Youth Leadership Activities*
- *Festivals and City Events*

*Café on A/Acuna Gallery provides:*

Art Workshops (minimum 6 @ \$2000 each

In Kind to City Value: \$ 12,000 Measurement of Success, Attendance, Reviews, Social Media Comments

A. Workshops will be conducted by Masters in each field

Ceramics-Hands on with Award Winning Ceramicists (two workshops)

Writing: Creative Writing, and Bio Writing, and Discussions with Published Authors (two workshops)

Mask Making: Face Painting:

Quilting

B. *Art and Art Events*

Art Openings with local / visiting Artists @\$4000 each, Minimum of six workshops  
 In Kind to City Value: \$ 24,000 Measurement of Success, Attendance, Reviews,  
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- C. Workspace for Artists
- G. Community Gallery
- H. Youth Community Service
- I. Women’s Health and Support Groups

Art Openings with Local/Visiting Artists @\$4000		
ea.	“	\$24,000
KEYS Youth Leadership Academy \$30,000		
ea.	“	\$30-120,000
Healthy Living Support Programming \$1700		
month	“	\$20,400
Performance Space/Meeting		
Place	“	\$6-12,000
ACCESS Water		
Workshops	“	\$10,000
Volunteer Hours 200 for average 5 hrs. Week total 4000 hours @\$10		
ea.		\$40,000

Total benefit of services for City of Oxnard (Minimum: \$152,400) (Max: \$248,400)

The Cafe on A /Acuna Gallery helps the City of Oxnard meet its vision and mission described within the City of Oxnard’s Master Plan, and its Cultural Arts Vision to incorporate arts in the everyday life of the city. It also meets the Successor Agency guidelines to collaborate with art and cultural activities.

## THE OXNARD PUBLIC LAND PARTNERSHIP



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OPENING PUBLIC LAND FOR PUBLIC GOOD

ABRIENDO TIERRAS PUBLICAS PARA EL BENEFICIO DEL PUEBLO

THE ACUNA ARTS COLLECTIVE TEAM (AACT) REVITALIZATION PROJECT IN DOWNTOWN OXNARD, GETS NEW LIFE!

BY: ARMANDO VAZQUEZ

OCTOBER 7, 2017 UPDATE JANUARY

29, 2018

How do you turn a once-in-a-life time real estate city of Oxnard-owned boondoggle into an out of the box, multi-use, community and business friendly neighbourhood project?

“It’s as much about embracing the public as it is having commercial spaces and residential units,” says Jeff Blau, CEO of [Related Companies](#), the real estate developer behind the [\\$25 billion Hudson Yards project](#) in new York City.

We get a fresh bit at the apple this year, 2018 thanks to progressive city of Oxnard Administrators.

To a large degree this article that I read in Fast Company magazine’s March 2017 edition, on Jeff Blau’s Related Companies, an innovative national development corporation and what they are doing with problematic urban property was what piqued my interest in taking the concept of community-acquired city of Oxnard Successor Agency property, specifically the old, Social Security building (425-445 South B Street) and envisioned using it to develop a multi- use, multi-facility, multi-faceted master plan in the downtown Oxnard.

In one creative, bold and out of the box collaborative joint development venture The Acuna Arts Collective Team (AACT) in partnership with the city of Oxnard and other key stakeholders could addresses the most pressing and critical local issues facing our residents and businesses in the revitalization efforts in the downtown area of Oxnard. By acquiring this property (properties and lots) we become the franchised stakeholder agents of local change in our community. We believe that the community must be involved, and as the primary stakeholder in the creation the downtown vision and in the subsequent develop; while at the same time, with the strategy of partnering with the city in key areas (think zoning, permits, tax credits and countless other benefits) we relieve the city of a real estate conundrum and make the city officials look like geniuses at the same time. We bring our vision of creating an arts, educational, retail and commercial multi-use complex that would provide the user friendly and congruent services and commerce to our unique and diverse community.

This mini proposal summary has used and then modified concepts and ideas from the article in *Fast Company's* March 2017 edition, that introduced me to Related Companies to clarify and describe AACT's Oxnard vision. To succeed, The Acuna Arts Collective Team (AACT) will introduce through this design an array of local and national lifestyle services, programs, companies and brands to create a private non-profit development with broad public appeal. The ACCT teams includes locally well-known non-profits and public service groups such as KEYS Leadership Academy, One Love Dance Company and the Acuna Art Gallery. In addition we propose to user larger entities such as CSUCI, Montecito Bank, Laborers Union local 585, among other businesses, many of whom have shown interest in this plan. Here is a brief description of how the ACCT project creates a new model for urban revival.

1. A COLLEGE EXTENSION PARTENERSHIP:

We have been in serious and extended negotiations with local colleges and universities; Oxnard and Ventura Colleges as well as CSUCI, CSUN, and local vocational colleges to partner with us. An obvious benefit to institutions of higher learning is to partner closely with the largest city in Ventura County from which to recruit, enrol and provide educational programs and services. We will utilize educationally solid anchors and their reliable rent to sustain the initial build-up. We facilitate the schools of higher learning in meeting their core mission to outreach to the Oxnard community.

2. A HARDWORKING SOCIAL SERVICE COURT:

The ACCT developer and partners will use its 25 years of providing best practices, nationally recognized programs and curricula to recruit the best practices social services providers to become part of the ACCT court of social services providers to work in synergistic expertise and bring into immediate proximity the population they are charged to serve. Thus: one-stop shopping for local ethnically congruent social service at its cutting edge best, with important ancillary supports by the local government.

3. AN ARTS & CULTURE HUB

To create spaces capable of drawing an anticipated 1,000 visitors a day, ACCT is working with the Laborers Union 585, local architects, local developers and the city of Oxnard to design the Oxnard Renaissance Zocalo, a multi-use complex that will house arts studios, performance space, and retail gallery and show room space for the artist of the community. Adjacent to the complex, ACCT will work with the city to create El Jardin De Los Artistas, a 5,000-square-foot outdoor art space. The ACCT project location is adjacent and in harmony with current Plaza Park's public space amenities.

4. RETAIL ADVENTURES:

To further financially anchor our complex, retail space will be offered and available first to local business (Grocery Outlet, 5150 Designs, Café on A (internet), Acuna Books, as well as others small local businesses. We will also recruit large business retailers which have a history of community service and support, such as Patagonia, among others. (A balance of small and locally owned business must be complemented by established retailers so that we are assured of a smooth funding stream.)

5. A HEALING LIVING LANDSCAPE

15% (a fluid approximation) of the site will remain open public space which creates a private non-profit development with broad public appeal. This means that simple needs



such as unisex public restrooms, working faucets, comforting benches, and green space (a priority) are available. The ACCT project gives the city of Oxnard residents a once-in-life-time opportunity to visualize and create a progressive user-friendly multi-use complex unique to Oxnard.

#### 6. A WORLD FOOD COURT

Oxnard has one of the greatest variety of foods and restaurants in the state. These great local restaurants create some of the best cuisine in the world. We will recruit (initially) locally-owned restaurants and then recruit larger established restaurant businesses that have demonstrated a commitment to social service to the community. We want our residents and visitors to have a holistic guest positive experience that nurtures and encourages folks to stay a while and then return to our user-friendly space in the heart of downtown Oxnard.

#### 7. ENCHANTED GARDEN FOR CHILDREN:

Space (multiple spaces) will be provided so that our children feel and are loved, well-taken care of and nurtured. These spaces will take into account the needs of the modern nuclear family and the various and challenging needs facing the children, parents and the families of our community. We will have an active, state-of-the-art childcare center (free of charge) for our local residents while using our center, receiving classes, social services, dining and recreating in our complex. Our children must be safe and nurtured, and the adults must be given the time and support they need to maximize a transformational experience each and every time they visit our complex.

This initial concept just presented is, of course, fluid and subject to change as we continue down the path of acquiring the Social Security building and the adjacent lots that surround this SSB location. As visionary urban development leaders in Oxnard this project is designed in such a way that acts as an important blueprint for other cities throughout the country to emulate. Finally, please feel free to think of this document as a rough blueprint to be used by you, the local stakeholder, in this exciting project. We look forward to your input so that we can dream, visualize and create an ideal space. Junto Si Podemos! Together we can do it!

## **The Acuna Art Gallery & Cultural Center**



**Services to Be Provided By the Acuna Art Gallery & Cultural Center to the City of Oxnard in Lieu of Rent & other Considerations 2-18-2018**

All services outlined in this exhibit represent contractual services to be provided to the residents of Oxnard on behalf of the municipality of Oxnard. Services are provided in exchange for rent at 418 West Fourth Street, Oxnard 93030.

The Acuna Art Gallery & Cultural Center has a 25 year history of providing programs that foster the expression and application of human creative skills, imagination and perseverance for at-risk youth, lower income women and their families. Our services aim to strengthen the communal ties of our ethnic communities through the arts in addition to providing hands-on support for individual academic success, physical and mental health, and cultural enrichment.

The mission of the Acuna Art Gallery & Cultural Center is to engage and empower the Oxnard, multi-ethnic community by emphasizing and focusing on the positive cultural aspects of our diverse population through the visual, graphic, literary, and performing arts. The vision of the Acuna Art Gallery & Cultural Center is to prepare our ethnic communities to be culturally aware, productive and active contributing members of our local community, and to become agents of change for the greater society.

The principle and defining philosophy of the Acuna Art Gallery & Cultural Center is respect for the individual; service to the community, and the transformation and celebration of life using the power of the arts.

In exchange for rent the staff of Oxnard's Café on A/Acuna Gallery will provide services in each of the following main areas:

**A. Multicultural Arts and Events:**

The Acuna Art Gallery & Cultural Center will plan, schedule, organize, coordinate and conduct a minimum of six (6) public events for the benefit of city residents and visitors. Acuna Art Gallery & Cultural Center will collaborate with educational, arts and cultural organizations and work to maximize the success of these events.

Oxnard Local Art Competition and Exhibition — a city-wide competition for Oxnard Artist-of-the-year with an art show of all entries and winners.

Downtown Art Crawl (Literary Arts; Visual Arts and Performing Arts) — a weekend arts extravaganza featuring local artists and performers. Downtown businesses and vacant retail spaces would be used for art showings, readings and performances.

B. Art Workshops and Events:

Art Workshops: The Acuna Art Gallery & Cultural Center will conduct a minimum of seven (7) art workshops for the public. Acuna Art Gallery & Cultural Center will identify the instructors, plan, coordinate, advertise and schedule the workshops. Art workshops will be free to the public, however a charging a stipend for art materials is allowed. The following workshops have been identified for the first year of the lease:

Two (2) Ceramic Workshops

Two (2) Creative Writing Workshops

One (1) Mask-making Workshop

One (1) Textile Arts Workshop

One (1) Video Production Workshop

C. Community Gallery and Art: Curate six major exhibits featuring local Oxnard Artists, Provide Community Workshops in multi-art disciplines.

D. Youth Cultural Awareness and Empowerment Services- Oxnard wide Community Engagement: Hispanic Heritage Month Activities and Support— a month long celebration of Latino culture and heritage including a Diez y Seis de Septiembre celebration. Dia De Los Muertos Parade and Celebration — Day of the Dead is a Mexican holiday celebrated throughout Mexico, in particular the Central and South regions, and by people of Mexican ancestry living in other places, especially the United States. It is acknowledged internationally in many other cultures. The multiday holiday focuses on gatherings of family and friends to pray for and remember friends and family members who have died, and help support their spiritual journey. In 2008, the tradition was inscribed in the Representative List of the Intangible Cultural Heritage of Humanity by UNESCO. Healthy Women Celebration — a week-long symposium on improving women's physical and mental health; work-life balance; and educational levels. Emphasis will be placed on the challenges faced by women employed in the agricultural industry with the goal of improving nutrition, physical and mental health, and overall wellbeing. KEYS Youth

Leadership Conference —The monetary value of the multicultural arts and events is **estimated at \$80,000.**

E. Youth and Women’s Health and Support Groups

The Acuna Art Gallery & Cultural Center will provide two (2) core programs that promote women's health and establish social interactions among lower income women of color. Programs are provided using volunteer labor and instruction.

Healthy Living Support Services Program

Las Adelitas — promotes exercise, dance and social interaction through regularly scheduled Salsa and Zumba classes. The program predominately serves lower-income, farm and factory working women and their families in the Oxnard Plains Area.

Services Provided	Value Provided
A. Multicultural Arts and Events	\$80,000
B. Art Workshops and Events	\$40,000
C. Community Gallery and Artist Workspace	\$30,000
D. Youth Cultural Awareness and Empowerment Services	\$30,000
E. Women's Health and Support Groups	\$40,000
Total Value:	\$220,000

Value of volunteer time is calculated at \$24.14 as determined by Independent Sector the national membership organization that brings together a diverse set of nonprofits, foundations and corporations to advance the common good. See [www.independentsector.org](http://www.independentsector.org) for more in

**The GROUP for the REDEVELOPMENT of OXNARD (GRO)**



On Friday, January 12, 2018, the Acuna Arts Collective met for its regularly schedule weekly meeting to discuss and take active part in the civic affairs of the city of Oxnard. The Acuna Arts Collective unanimously agreed that was imperative to create a formal organization that would be a KEY agent in the furtherance of participatory democracy in the civic affairs of Oxnard and in particular our direct involvement in the redevelopment and community development planning activities of the city. Accordingly, on Friday, January 12, 2018, we formal created The GROUP for the REDEVELOPMENT of OXNARD (GRO). The GRO OXNARD collective voted unanimously for the following officers:

Board Chairperson: Armando Vazquez

Treasurer: Joshua Ruiz

Secretary: Dr. Debbie DeVries

Board Vice-Chairperson of Development and Planning: Johnny Quintana

Board Vice-Chairperson of Recruitment and Diversity: Aaliyah Bustamonte

Board Vice-Chairperson of Community Outreach: Hector Colon

Board Vice-Chairperson of Fine Arts: Jacqueline Biaggi

Board Vice-Chairperson of Community Relations: Nayelli Trujillo

Board Vice-Chairperson of Immigrant Relations: Julie Medina

Board Vice-Chairperson of Ecology and Conservation: Rene Corado

Our first order of business is to begin an information public relations campaign throughout greater Oxnard to educate and inform all residents of the our current efforts to secure through the legal process of “transfer of ownership” of current Oxnard Successor Agency buildings or properties that are in eminent danger of being lost to the state of California’s local oversight board due to negligence and non-compliance.



#### THE OXNARD PUBLIC LAND PARTNERSHIP



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THE ACUNA ARTS COLLECTIVE TEAM (AACT) REVITALIZATION PROJECT IN DOWNTOWN OXNARD, GETS NEW LIFE!

BY: ARMANDO VAZQUEZ

OCTOBER 7, 2017 UPDATE

JANUARY 29, 2018

How do you turn a once-in-a-life time real estate city of Oxnard-owned boondoggle into an out of the box, multi-use, community and business friendly neighbourhood project? “It’s as much about embracing the public as it is having commercial spaces and residential units,” says Jeff Blau, CEO of [Related Companies](#), the real estate developer behind the [\\$25 billion Hudson Yards project](#) in new York City.

**We get a fresh bit at the apple this year, 2018 thanks to progressive city of Oxnard Administrators.**

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In one creative, bold and out of the box collaborative joint development venture The Acuna Arts Collective Team (AACT) in partnership with the city of Oxnard and other key stakeholders could addresses the most pressing and critical local issues facing our residents and businesses in the revitalization efforts in the downtown area of Oxnard. By acquiring this property (properties and lots) we become the franchised stakeholder agents of local change in our community. We believe that the community must be involved, and as the primary stakeholder in the creation the downtown vision and in the subsequent develop; while at the same time, with the strategy of partnering with the city in key areas (think zoning, permits, tax credits and countless other benefits) we relieve the city of a real estate conundrum and make the city officials look like geniuses at the same time. We bring our vision of creating an arts, educational, retail and commercial multi-use complex that would provide the user friendly and congruent services and commerce to our unique and diverse community.

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## THE OXNARD PUBLIC LAND PARTNERSHIP



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*Quilting*

**B. Art and Art Events**

*Art Openings with local / visiting Artists @\$4000 each, Minimum of six workshops*

**In Kind to City Value: \$ 24,000 Measurement of Success, Attendance, Reviews, Testimonials Social Media Comments**

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*G. Community Gallery*

*H. Youth Community Service*

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Volunteer Hours 200 for average 5 hrs. Week total 4000 hours @ \$10			
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**Total benefit of services for City of Oxnard (Minimum: \$152,400) (Max: \$248,400)**

**The Cafe on A /Acuna Gallery helps the City of Oxnard meet its vision and mission described within the City of Oxnard’s Master Plan, and its Cultural Arts Vision to incorporate arts in the everyday life of the city. It also meets the Successor Agency guidelines to collaborate with art and cultural activities.**

**THE ACUNA ART COLLECTIVE**



The Acuna Arts Collective and our community partners want to help in the dynamic reassurance and redevelopment of the historic downtown Oxnard area. Here is how our proposal will benefits all of Oxnard.

- 1. Disposition of Successor Agency:** Our proposal provides an immediate and legal protocol to dispose the Social Security building (adjacent parking lots) and the rest of the Successor Agency property portfolio by transferal of ownership to the City of Oxnard.
- 2. Transfer of Ownership:** By having the Successor Agency transfer of ownership of the Social Security building to the city of Oxnard literally millions of dollars are maintained in the complete control by the city of Oxnard and not the many governmental entities that would share in the proceeds if the Social Security building was sold. This legal transfer of ownership is an astute fiduciary action by the city of Oxnard that protects and maximizes the financial interest of the citizens of Oxnard.
- 3. Immediate and prudent fiduciary fiscal and planning placeholder:** The transfer of ownership immediately stops the “bleeding” for the Social Security building and provides a prudent and progressive out of the box template for the disposition of Successor Agency assets and properties.
- 4. Partnership with The Acuna Arts Collective,** under the legal umbrella of the Foundation, For Educational and Employment Resources Development (EERD) with the city of Oxnard for the management and administration of an arts and cultural center will immediately create a highly innovative fiscally sound partnership between the city of Oxnard and the Foundation, EERD. The partnership maximizes the unique skills and expertise of the Foundation, EERD a renowned arts and cultural institution, and the city of Oxnard.
- 5. Immediate world class arts and culture programming** at pennies on the dollar for the city of Oxnard. The Acuna Arts Collective will provide a conservative \$300,000 of “in-kind arts and cultural programming” in the first year. As our partnership with the arts and cultural community increase and solidify the partnership will increase the “in-kind arts and cultural programming revenue and services provided to the city and the residents of the community.
- 6. The Acuna Arts Collective in partnership with the city of Oxnard and downtown partners and stakeholders will development a three stage operational/program plan**

that is congruent and complimentary to the Oxnard downtown redevelopment master plan.

**7. Critical Mass:** The partnership between the Foundation, EERD and the city of Oxnard begin an important and critical first step (by the occupation and management of the Social Security building) in the process of eliminating the blight and “broken window” syndrome that currently plagues the downtown sector of Oxnard.

**8. Continued Critical Mass:** In moving forward we plan out phases (immediate, intermediate and long term) with our unique stakeholder partnership between the city of Oxnard and the community stakeholders we create a progressive synergy that will create exciting arts, cultural, educational, financial and social service opportunities for the entire Oxnard.

**THE ACUNA ART COLLECTIVE**



From: Armando Vazquez, M. Ed. & Dr. Debbie De Vries, Directors,  
The Foundation, for Educational & Employment Resources Development (EERD)  
To: Kymberly Horner, Successor Agency Director, Ruth Osuna & Jesus Nava, Assistant  
City Managers

Re: Proposal/Acquisition:

Partnership offer of the Social Security building (445 South B St.) and adjacent parking  
lot property

**This creative solution for enhancing the city of Oxnard’s cultural arts support and building a win- win solution to providing social service programming at no cost is an acquisition offer which is proposed by the Acuna Art Community Collaborative Team (AACCT) collective (under the fiscal and administrative umbrella of the Foundation, EERD), a California non-profit 501 (c) 3 corporation and in accordance with California Health & Safety. Code Section 34179 as added by AB X I 26, that in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed below are proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency to be transferred to a public jurisdiction (in this case, the City of Oxnard).**

As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency, provided, **however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.**”

**We propose a Partnership with City of Oxnard (City), wherein AACCT and the City of Oxnard work as partners in the negotiated, stipulated and shared management and administrative responsibilities in the furtherance of creating, developing and maintaining a state of the arts multi-use arts/cultural, educational, social services,**

housing and commercial complex that is congruent with the Oxnard (Long-Range Redevelopment Downtown Management Master Plan). Accordingly, in accordance with AB X 1 26 the Ventura County oversight board shall direct the City of Oxnard's successor agency to do all of the following:

**The Successor Agency of Oxnard, with the approval of the County of Ventura oversight board, shall transfer ownership the Social Security Building (SSB) properties (425-445 South B Street) to the City of Oxnard to then be managed and administered on a day to day basis by the Foundation, for Employment & Educational Resources Development, a 501 (a) 3 corporation for a governmental purpose (i.e., parks, recreational facilities, children's facilities, cultural facilities.) Since the properties were acquired and constructed with public funds they fall under the designated " public purpose" as clarified in AB X 1 26, and thus this proposal matches this used for a public purpose and complaints perfectly with the Oxnard long-term downtown redevelopment plan.**

We further propose to The City of Oxnard Successor Agency and the City Mangers Office to the transfer of ownership of the SSB Properties and adjacent parking lots (445 South B Street) for this governmental (art and cultural center) purpose; and authorize the Foundation, EERD, to manage and administer The Social Security Buildings and parking lots a single, unified set of properties using a restricted revenue source generated from the SSB Properties (which will include but not be limited to rental, lease and professional fees, and other revenue-generating contract to be specified as contracts are secured).

The Successor Agency's restricted revenue stream and related enforceable obligations will be transferred along with the SSB buildings and adjacent properties to the City, so the City can continue to fulfill the Successor's Agency's disposition obligations. Since the SSB Properties will be transferred in ownership to the City for a governmental purpose, the transfer value is zero dollars. This new partnership between the City of Oxnard and the Foundation, EERD creates a dynamic private/public business agreement that dramatically enhances the city of Oxnard's ( Immediate and Long-Range Redevelopment Management) Master Plan and serves as a unique and robust anchor for the entire downtown re-development area.

Armando Vazquez, Executive Director

Armando Vazquez

Dr. Debbie De Vries, Executive Director

Dr. Debbie De Vries

**The Foundation, for Employment & Educational Resources Development (EERD)**

cc: Greg Nyhoff, City Manager

Jesus Nava, Assistant City Manager

Jeff Burgh, Chairman, Ventura County Oversight Board

Kimberly Horner, Successor Agency Director

Barbara Macri-Ortiz, Attorney at Law

Tim Flynn, Mayor

Carmen Ramirez, Manor Pro-tem

Bryan McDonald, Councilman

Bert Perello, Councilman

Oscar Madrigal, Councilman

**THE ACUNA ART COLLECTIVE**





To: Jesus Nava, Assistant City Manager, City of Oxnard

January 2, 2018

From: Armando Vazquez, Executive Director, The Foundation, EERD

For the past 24 months, The Foundation, EERD has been working with the Acuna Arts Collective, the Oxnard Multicultural Health Coalition, Laborers Union Local 585, CSUCI, CSUN, Clinicas Del Camino Real, Montecito Bank, Grocery Outlet, One Love Dance Company, Unity in Recovery, The KEYS Leadership Academy, George Lopez and Cheech Marin representatives, as well as other strategic business, education, and social service stakeholders to create a partnership with the City of Oxnard in an attempt to forge a locally congruent plan for the disposition of the current building/property (approximately 39) assets that the Successor Agency currently has in its portfolio.

For the sake of clarity, brevity, and “disposal of assets” we believe that it would be in everyone’s best interest to stipulate to some agreements, so that in our very limited meeting time we do not get bogged down in the bureaucratic weeds. Below are some foundational basics that we believe that we can all agree on as California law:

1. In 2012 the California Legislature passed and Governor Brown signed into law California Health & Safety. Code Section 34179 AB X I 26 that officially dissolved the existing Redevelopment Agency of all municipalities/cities throughout California. Beginning in 2012 these municipalities/cities were mandated by California Health & Safety. Code Section 34179 AB X I 26 to “dispose of all assets” that the former Redevelopment Agency held in its portfolio.
2. In Oxnard the Successor Agency was created to “dispose of all assets” mandated by California Health & Safety. Code Section 34179 AB X I 26.

3. California Health & Safety. Code Section 34179 AB X I 26 that in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed below are proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency to be transferred to a public Jurisdiction (in this case, the City of Oxnard).
  
4. As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency, provided, however, that the *oversight board* may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.”

If we can agree that these four conditions provide us the legal underpinning to pursue the transfer of ownership of the Successor Agency of one or all assets to the City of Oxnard, then we can work in partnership in supporting the details of California Health & Safety. Code Section 34179 AB X I 26 guidelines listed above so that: **The Foundation, EERD and community collaborators may enter into a contractual agreement with the City of Oxnard to create a multi-faceted, multi-dimensional arts and cultural in the Social Security Building, located at 425-445 South B Street, Oxnard.**

**Oxnard’s’ Successor Agency Continued Boondoggle or Fiduciary Leadership in 2018 By, Armando Vazquez, Executive Director, The Foundation, EERD**

Just imagine the State of California dressed as a Santa Claus, and in magnanimous gesture of civic good will and fairness decides that Oxnard is to give a once in life time “gift” in the way of full and total fiduciary disposal authority of 39 building/properties that the city of Oxnard Successor Agency currently has in its portfolio. And the city (for whatever reason) does absolutely nothing for six year years, absolutely nothing to dispose of these building/properties. Santa would feel dissed and be disappointed or angry, perhaps both! Take away the Santa Claus joke and you have the current state of affairs in Oxnard with respect to the “disposal of all assets” at the end of 2017 by the Successor Agency.

In 2012 the California Legislature passed and Governor Brown signed into law California Health & Safety. Code Section 34179 AB X I 26 that officially dissolved the existing Redevelopment Agency of all municipalities/cities throughout California. Beginning in 2012 these municipalities/cities were mandated by California Health & Safety. Code Section 34179 AB X I 26 to “dispose of all assets” that the former Redevelopment Agency held in its portfolio.

In Oxnard the Successor Agency was created to “dispose of all assets” mandated by California Health & Safety. Code Section 34179 AB X I 26. Oxnard, as mentioned previously, has done nothing to “dispose of the buildings/properties”, and here in lies

the current conundrum. This time around in 2018 the State of California will not be so benevolent and patient, and as the legal “owner” of these 39 Successor Agency buildings/properties the state has repeatedly threatens to “foreclose and fully rescind” the temporary right of “disposal of assets” completely away from the city of Oxnard for fiduciary foot-dragging. This would be devastating administrative negligence over a more than 6 year period on the part of the city of Oxnard. The people that would be grievously harmed by this incompetence are of course the taxpayers and citizens of Oxnard. The Ventura County oversight board would take over total control in the disposal of all of Oxnard’s Successor Agency buildings/properties. The City of Oxnard’s stands to lose millions of dollars due to their negligence and incompetence.

There is a real, legal, and creative solution to the current fix the city of Oxnard finds itself in. California Health & Safety. Code Section 34179 AB X I 26 that in part states; Successor Agency to the City (of Oxnard) Redevelopment Agency Long-Range Property Management Plan Retention of Properties for Governmental Use All properties listed below are proposed to be transferred to the City pursuant to HSC Section 34181 (a) that allows properties of a former redevelopment agency to be transferred to a public jurisdiction (in this case, the City of Oxnard).

As that section of the Law states, the successor agency is to “dispose of all assets and properties of the former redevelopment agency, provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset.”

We, at the Acuna Arts Collective, have done the researched on California Health & Safety. Code Section 34179 as added by AB X I 26 and shared the information that we gleamed with local legal, business, educational and social service stakeholders and they concur with the Acuna Arts Collective that we should sit down and talk about the extraordinary fiduciary possibilities that a “transfer of ownership” and other potential legal, financial and development “windows”, if explored and research, could immediately bring to the city of Oxnard. This is a once in a life time opportunity and can create an incredible out of the box kick start in the future downtown vision and development projects that all residents of Oxnard desperately want.

In the past year the Acuna Arts Collective has made several official bids of acquisition, specifically to acquire the Social Security Building (445 South B Street, and adjacent parking lot property). The Acuna Arts Collective has proposed to the City of Oxnard a partnership that would convert the Social Security Building into arts and cultural center. The Acuna Arts Collective has researched and estimate that this partnership would generate millions of dollars on art, educational and cultural services and programs in the immediate future, all the while the city of Oxnard maintains ownership of property currently assessed at over 2 million dollars.. We have not received one return courtesy email or phone call from the city in the past year. We believe it is time for the community to pressure administrators and the city council

**member to become much more active before the city lose all control of “disposal of asset” rights to the Ventura County oversight board.**

**Based on past historical performance the Successor Agency will not become more active, and will continue to be unable to produce even one viable RFQ proposals or actual purchase offers on the Social Security Building or other Successors Agency buildings/properties. This lack of activity in 2018 will trigger the Ventura County Oversight Board to move aggressively to take over all of the “disposition of asset” activities and actions. The Ventura County oversight board action will render the city of Oxnard as an incompetent and inconsequential bystander as the oversight board does as it deems appropriate with our (the people of Oxnard) property and assets. Let’s not let this happen, but we must act quickly, time is not on our side.**

**The Acuna Art Gallery & Community Center Collective  
(The Oxnard Public Land Partnership)**



February 27, 2018

Hello Collective/Partnership friends and supporters, Debbie and I would like to take the time to thank you for all the collective hard work and research that has been done in our continued efforts to acquire the Oxnard Successor Agency property at 425-445 South B Street (old Social Security Building). With this email going forward we will not need to meet tomorrow Wednesday, February 28, 2018.

We have all been in contact with many folks that may be able to help us in the future, so continued dialogue with your contacts is essential. Here is what we have found.

**Transfer of Ownership:** It would appear from everyone's research that the transfer of ownership strategy is not possible!

**Oxnard Successor Agency property:** In speaking to folks at the state level it would appear that the California Finance Department (DOF) has a figure of about \$1,430,000.00 as the sales price for the Social Security building. This is an old estimate and no new appraisals have been done by the city in a number of years that we could discover. So in theory the City of Oxnard (anyone else for that matter) could begin to negotiate at the aforementioned sales figure and work down.

It would be up to the Successor Agency with the approval of the Oversight Board to agree on an acceptable final sales price. The DOF would have to review and approve the final sales price if there was a huge under bid variance in the \$1,430,000.00 sales figure. This is information that we got from Jackie Irwin's aides in Sacramento and DOF.

**Next Steps:** Our initial discussion with the City manager, the 3 City Council members is that they are reluctant to come up with the one (1) million dollars to acquire and retain the Social Security Building.

1. The argument that we have made is that even if they have to come up with one million dollars to retain the property, they are still retaining complete control of one of the prime property locations in all of Oxnard. The equity on that property will continue to go up.

2. The City of Oxnard in retaining the property and having transparent, full local community participation in the vision and future development of the property the City Council would look like fiduciary leaders and stewards of our downtown area.
3. Our partnership's in-kind yearly contribution of over one (1) million dollars is a tremendous incentive for the City to partner with us. We provide the educational, vocational, arts and cultural, social services, classes, programs and trainings that the City would not have to incur into the foreseeable future.
4. In our proposed the city of Oxnard/Collective partnership we would work together on phase 2 and 3, wherein we would work to create local strong, progressive and efficient funding streams and capital that could free the city to potentially invest in other future city projects. We are projecting millions of dollars to flow through this project in the coming decade.
5. Phase 2 and 3 planning would begin our official efforts to secure anchor partners, such as the local colleges/universities extensions, bank branches, local businesses and CBO's. We are projecting that the vision and design of our complex will require the partnership of all that aforementioned partners. So that we can begin to formalize our vision by way of architectural and design renderings, urban planning for the best practice and safety use of the common spaces in downtown Oxnard.

So far it is our opinion; our strong, well research and sound arguments are not convincing our City Council members to support our efforts. It would appear that due to the unique political climate in Oxnard the current City Council is not willing to commit to such a financial undertaking.

Let us take the rest of the week and meet Wednesday, March 7, 2018 at 11: AM to regroup and strategizes. In the meantime feel free to share ideas, other thoughts, and some strategies.

Respectfully,  
Armando Vazquez



## The Acuna Art Gallery & Community Center Collective (The Oxnard Public Land Partnership)



To: Acuna Arts Collective Friends and Supporters

From: Armando Vazquez

Re: Update on the Social Security Building Negotiations

3-31-18

It has been about two weeks since we last met, and there have been some questions raised by some of our friends and supporters about the ongoing negotiations regarding the Social Security Building and other Acuna Arts Collective/City of Oxnard business. I thought that I would take this opportunity to provide a timely update.

Barbara Macri-Ortiz, our attorney has made various presentations to city administrators, business and community stakeholders on our proposal to partner with the city of Oxnard and maintain our arts, educational and social service residence at the Social Security Building. The response has been positive and favorable, according to Barbara.

**It is her recommendation that we provide testimonial support for the Acuna Arts Collective/City of Oxnard partnership; and formally make a request at the next city council meeting scheduled for this coming Tuesday, April 3, 2018 at 6 PM sharp, to have the matter of having the Acuna Arts Collective become the permanent tenants at the Social Security Building be placed on a timely future City Council Agenda for formal presentation, discuss and a vote.**

Our request as a group is short and sweet: **We are partners and supporters of the Acuna Arts Collective. We are here because the Café on A/ Acuna Art Center has been an important part of my LIFE, MY FAMILY AND MY FRIENDS. The City of Oxnard can and should partner with the Acuna Arts Collective to continue to bring unique and important arts, educational and social service to all residents of Oxnard. For this very important reason we are requesting the city council members to formally place our request for the continued partnership between the Acuna Arts Collective and the City of Oxnard in the current Social Security location to be placed on the formal city council agenda in a timely and future city council meeting for formal presentation, discussion and a city council vote.** SOMEONE IN THE GROUP HAS TO MAKE THIS REQUEST AND



ALL THE OTHERS CAN COMMENT VERY BRIEFLY WHY THEY SUPPORT THIS REQUEST. LET ME KNOW WHO IS GOING TO ATTEND THIS WEEK'S CITY COUNCIL MEETING. WE SHOULD MEET AT 5:45 PM IN THE FRONT LOBBY TO STRATEGIZE.

We have been advised that the PFR from the Cultural Arts Commission would be made available on April 14, 2018. Let us keep our fingers crossed that the RFP is issued on that date so that we can start preparing our applications. We would like to encourage everyone that has had an artistic inclination, a project, a desire to follow an artistic dream (or nightmare) to seriously consider applying for the city wide funding. We will help you with your RFP application.

The Feria De Los Libros was a resounding success (standing room only). We want to thank all of the writers and authors who participated, and we were encouraged to this event twice a year (your thoughts?). Big huge shout out to JOSH for the great fish tacos. You fed the multitudes my brother, and we love!

We are planning one of the Master Ceramicist art exhibitions for the early summer with arguable three of the greatest artist/ceramicists in the art world joining forces. We will keep you posted.

We are also working on bring to Oxnard a Bailes de Primavera, that will showcase some of the dance, performance and movement groups and individuals currently working and doing service in the great Oxnard area. Again we will keep you posted. If you know dancers or performers that would be interested in participating please let us know.

Maybe sometime during the summer we can have an Oxnard Independent Film Festival like back in the day. We have in our midst some great filmmakers so let us work together to make this happen. Any ideas please share them with us.

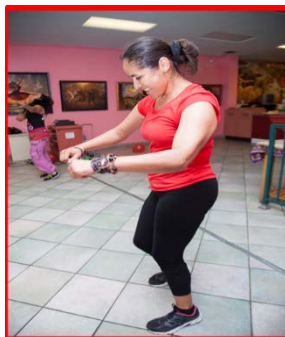
Finally the one dollar question; where the Acuna Arts Collective will land? We have the Gull Wings location, we would like to remain in the Social Security Building. But wherever we end up we should keep in mind that the mission of the Acuna Arts Collective is to be a democratic participatory creative arts/educational collective that embraces creative artistic freedoms and uses the magnificent tools of arts to wage our movement of love, social justice and equality for all.

We believe we play a unique social justice artistic role in Oxnard, and we transgress on one's agenda. However we have earned a stellar reputation for working and delivering effective programs and services at the periphery of Oxnard society where the alienation, pain, and need is the greatest. That has been our mission from day one and we are blessed to still be doing this unconditional love work, join us won't you?

One Love,  
Armando y Debbie

**JULIE'S ONE LOVE DANCE CO. OF OXNARD** 350 So. K y 5th en el gimnasio PALS (805) 793-8505

RECONOCIDA COMO EL MEJOR NEGOCIO PEQUEÑOS EN OXNARD POR LA REPRESENTANTE ESTATAL JACQUIE IRWIN **DISTRITO 44TH**



**JULIE MEDINA  
CONVIVIO**

**ONE LOVE DANCE COMMUNITY**

**HEALTHY LIVES**

I am a proud Mexican immigrant women that with love, a bit of luck, and lot of hard work I am achieving and living the American dream. I have loved dancing all of my life, I never thought that I could turn my dream and love into a thriving business. But here I am with a business philosophy that has at its central core culturally congruent and user friendly healthy lives classes and services. At One Love Dance Co., we deliver all our programs with love and super affordable fees to my mostly farm and factory working women and their families.

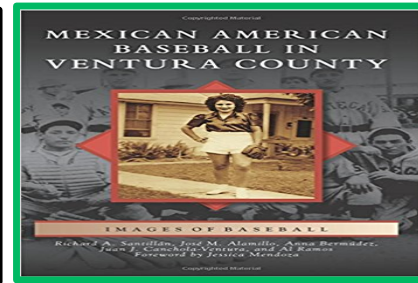
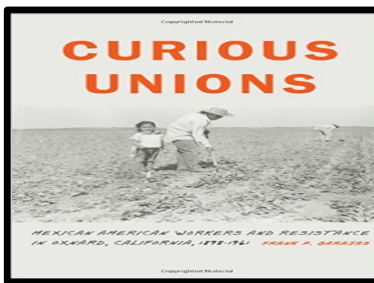
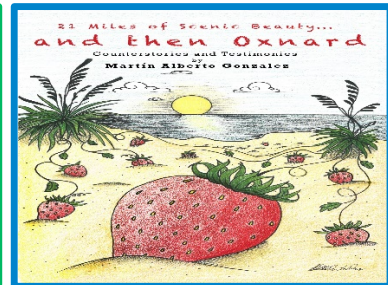
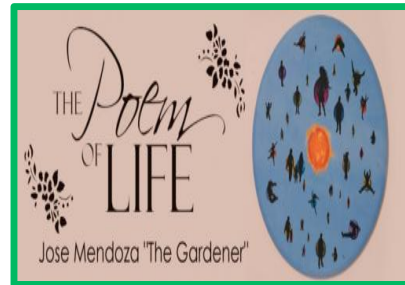
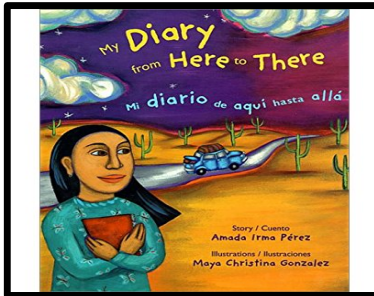
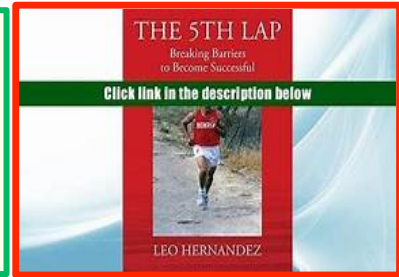
Yo soy orgullosa de ser inmigrante Mexicana; que con amor, poquita suerte, y mucho trabajo duro he logrado y estoy viviendo el sueño Americano. Yo amo el bailar, he bailado toda mi vida, jamás pensé que este amor, este sueño lo podía convertir a un negocio activo y comunitario. Pero aquí estoy feliz y muy agradecida. Con la filosofía de brindar las mejores clases y programar de ejercicio y bienestar en Oxnard. Venga mis amigas a visitarnos y disfruten el ejercicio y el bienestar conmigo y mis compañeras comunitarias. **LUNES-VIERNES**

9-10 Y 10-11 am \$2/CLASE- \$20/MES JULIE'S ONE LOVE DANCE CO. OF OXNARD  
 RECONOCIDA COMO EL MEJOR NEGOCIO PEQUENOS EN OXNARD POR LA REPRESENTANTE  
 ESTATAL JACQUE IRWIN DISTRITO 44<sup>TH</sup>.

## THE ACUNA ARTS COLLECTIVE

PRESENTS: FERIA DE LOS LIBROS EN OXNARD  
 VOLAR CON TU IMAGINACION

CON LIBROS PUEDES  
 WITH BOOKS YOU CAN LET YOU IMAGINATION FLY



LOCAL WRITER/ESCRITORES: FLORENCIA RAMIREZ, AMADA PEREZ, RENE CORADO, LEO HERNANDEZ, MARTIN GONZALEZ, JOSE MENDOZA, DENNIS O'LEARY, JAVIER GOMEZ, FRANK BARAJAS, ANA BERMUDEZ. JOSE ALAMILLO, ARMANDO VAZQUEZ, TIM POMPEY, JUAN CANCHOLA  
 Donde/Where: 445 South B Street, Oxnard (old Social Security Building) Cuando/When: 9 de Marzo, 2018/March 9, 2018 De/From: 5-7 PM

Patronizado por/sponsored by: The Acuna Arts Collective, OMMH, One Love Dance, the City of Oxnard, SEIU 721, LABORERS 585, Western Foundation of Vertebrate Museum, Pt. Hueneme Longshoremen Union, Oxnard Public Land Partnership, Flor y Canto Collective, The



Foundation, EERD, ODMD, Oxnard Cultural Arts Commission, CSUN Chicano Studies Dept.,  
Grocery Outlet of Oxnard, CSUCI

THE ACUNA ART COLLECTIVE 425 South B St. Oxnard, Ca. 93030  
[avaio4o@yahoo.com](mailto:avaio4o@yahoo.com) (805) 216-4560

Oxnard's Art in Public Places 2018-19 Grantees and Awards Night Reception



FRIDAY, JULY 27, 2018 6-9 PM

MEET OXNARD COMMUNITY ARTISTS, PATRONS OF THE ARTS  
AND LEADERS AND OFFICIALS WHO SUPPORT THE ARTS

REFRESHMENTS AND ENTERTAINMENT WILL BE PROVIDED



LOVE IS THE KEY

# THE ACUNA ARTS COLLECTIVE



Noche convivio comunitario

December 22, 2016

March 3, 2018

Hello ladies and gentlemen, we had a very informative and productive meeting with Jesus Nava, Assistant City Manager, at our Friday, March 2 2018 meeting. Here is what was discussed:

1. **Negotiations on the Social Security Building:** The City of Oxnard's Finance Department currently is undergoing some repairs and renovation issues at their present location. Jesus indicated that the city want to take over the Social Security space and offices that we currently occupy. We offered to move to the back of the building and occupy the large space in the back that would work just as well for us as our currently space. Jesus was genuinely impressed by our willingness to work with and continue to partner with the city as they go through a trying and difficult logistical phase. He indicated to us that he would speak directly with Scott Whitney, City Manager/Police Chief, as early as Monday March 5, on our offer to move to the back of the building. It looks good for us right now to remain at the Social Security Building.
2. The Successor Agency in coordination with and direction of the City of Oxnard is speaking to both the County Oversight Board and the California Department of Finance to determine if it still possible at this late date to have the city (reacquire) through the legal protocol of transfer of ownership as the city is invoking extraordinary and compelling government need for the acquisition of Social Security Building. If the city (with our help) can accomplish this transfer or ownership step the crucial and historical property would revert to the city and the community. If the

transfer of ownership if approved it would significantly solidify our partnership with the City of Oxnard.

3. We have learned that the Oversight Board will have a special meeting on Tuesday, March 13, 2018 (I will confirm the date and the time with Kimberly Horner and email everyone once I get date/time confirmation). Jesus recommend that we should request to be put on the agenda so that we can make a formal presentation and have the Oversight Board official act on our presentation and request. **IT WAS RECOMMENDED THAT WE THE ACUNA AQUITION OF THE SOCIAL SECURITY PARTNERS SHOULD GET TOGETHER THIS WEDNESDAY 7, 2018 AT 11:00 AM TO DISCUSS OUR STRATEGY/PRESENTATION THAT WE WILL PRESENT TO THE OVERSIGHT BOARD. SEE YOU GUYS THIS WEDNESDAY, IT IS AN IMPORTANT MEETING!!!**
4. We will proceed with the Feria De Los Libros event this Friday, March 9, 2018 from 5-7 PM. We will have some of the most important local Oxnard writers and authors Successor Agency this event **PLEASE SUPPORT!**
5. We are also working on one of the great art exhibition in the history of Oxnard and Ventura County. The show is entitled: **CLAY COMING TO LIFE: With world class master sculptures Jaqueline Biaggi, Lynn Creighton, and Janet Neuwalder. We are planning to have our show run from April through May, 2018. We will keep you posted.**
6. Finally the road toward our successful acquisition of the Social Security Building in partnership with the City of Oxnard has been steep, crooked and at time very bleak but we keep moving forward. The impossible is now looking quite possible, and it is because of every one of you ladies and gentlemen that have made this vision a real possibility! Email me if your have ideas!

Adelante,

Armando y Debbie