



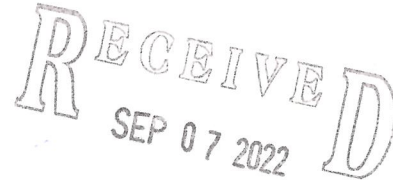
CITY OF OCEANSIDE

OFFICE OF THE CITY MANAGER
SAN DIEGO



August 31, 2022

Honorable Michael T. Smyth
Presiding Judge of the Superior Court
San Diego Central Courthouse
1100 Union Street
San Diego, CA 92101



Re: Response to San Diego County Grand Jury Report: “Low Income Parking Citation Payment Plan – Compliance with Vehicle Code §40220 Legislative Requirements.” Final Report Dated June 23, 2022.

Dear Judge Smyth:

Pursuant to California Penal Code section 933 (c), the following is provided in response to the Grand Jury Findings and Recommendations.

CITY OF OCEANSIDE

Grand Jury Finding 01:

Of the agencies interviewed, a majority are both issuing agency and processing agency. Although CVC 40220 language often refers to a “processing agency,” compliance requirements are logically presumed to apply to both issuing and processing agencies.

Response:

The City of Oceanside agrees with the finding. The City of Oceanside understands the language and requirements of CVC 40200.3.

Grand Jury Finding 02:

During the investigation, the Grand Jury found that the City of Oceanside was not compliant with AB 3277 amended and CVC 40220 requirements. AB 3277 amendment includes the disclosure of the availability of low-income payment plan and the timeframe to apply in both the notice of parking violation and on its public internet website, including a web page and telephone number for more information.

Response:

The City of Oceanside disagrees partially with the finding. As of February 4, 2022, the City’s printed citations have been CVC compliant with the most recent AB 3277 amendment. Further, as of February 14, 2022, both the Parking Enforcement Division and the Oceanside Police Department added stickers that are affixed to their written citations to include the required notification.

Grand Jury Finding 05:

The Grand Jury found that some previously non-compliant agency websites are now CVC 40220 compliant.

Response:

The City of Oceanside agrees with the finding. Noted in the report, as of May 10, 2022, the City of Oceanside’s previously non-compliant website is now CVC 40220 compliant.

RECOMMENDATION 22-49

The 2021/2022 San Diego County Grand Jury recommends that the City of Oceanside revise their parking citation notices to be CVC 40220 compliant with the most recent AB 3277 amendment.

Response:

The recommendation has been implemented. As of February 4, 2022, the City’s printed citations have been CVC compliant with the most recent AB 3277 amendment. Further, as of February 14, 2022, both the Parking Enforcement Division and the Oceanside Police Department added stickers that are affixed to their written citations to include the required notification. By way of example, the following verbiage appears on the “notes” section of the City’s printed citations:

Violation 1: NO PARKING ZONE, STREET SWEEPING Code : OTC 10.3.1 Amount : \$58.00 *** TOTAL FINE: \$58.00 ***

Comments: SIGN POSTED. PHOTOS TAKEN
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PLEASE SEE REVERSE FOR INSTRUCTIONS

Issued : 02/04/2022 10:12 AM
Officer : 9400
For information or to apply for INDIGENT
(LOW-INCOME) PAYMENT INSTALLMENTS call
1-800-989-2058 or visit
<http://oceanside.citationinfo.com> within
120 days from the issuance of a notice of
parking violation or within 10 days after
an administrative hearing determination.
(CVC 40220)

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In closing, I would like to thank the Grand Jury for their efforts in working with the City of Oceanside during this investigation.

Sincerely,



Jonathan Borrego
City Manager

JB/RO/ro

cc: Jim Mendelson, Foreperson, San Diego County Grand Jury