



# Memorandum

**TO:** RULES AND OPEN  
GOVERNMENT  
COMMITTEE

**FROM:** Councilmember Pierluigi Oliverio  
District 6

**SUBJECT:** Clean City

**DATE:** October 13, 2016

APPROVED:

*Pierluigi Oliverio*  
(PF)

## RECOMMENDATION

Direct the City Attorney to examine whether or not the City of San Jose can fine State Agencies for not maintaining or cleaning property within City Boundaries, and determine if the City of San Jose can bill State Agencies for these services.

## BACKGROUND

The freeway systems that run through the City of San Jose that are not maintained by the City, but are maintained by State Agencies are often marred and cluttered with debris, litter, and other potentially hazardous and unsightly items are a recurring issue for those living in San Jose. As the conditions of the freeways, namely the entrances and exits remain less than desirable I would like to ask the City Attorney to determine if the City would be able to fine State Agencies for not maintaining their property or if it would be possible for the City to maintain the property and send the bill for the services to the State Agencies for reimbursement.

## PUBLIC OUTREACH/INTEREST

This action does not meet the criteria set below; however the Office of the City Clerk will post the item on the City's Website for the October 19, 2016 Rules Committee Agenda.

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
  
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**

HONORABLE MAYOR AND CITY COUNCIL

October, 2016

Subject: Clean City

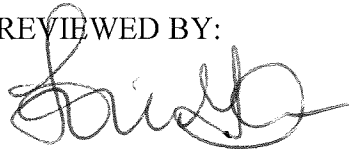
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- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

**CEQA**

Not a Project, File No. PP10-069, City Administrative Activities.

REVIEWED BY:



TONI J. TABER, CMC

City Clerk

For questions, please contact Toni Taber, City Clerk, at (408) 535-1260.