



CITY OF MILPITAS

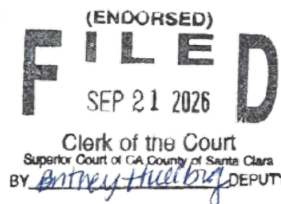
OFFICE OF THE CITY MANAGER

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September 21, 2026

Via EMAIL

Hon. Julie A. Emede
Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113
CGJ@scscourt.org



Re: City of Milpitas Response to June 12, 2026 Santa Clara County Civil Grand Jury Final Report: "Pothole Damage: Improving Claims Processes Within Santa Clara County"

The City of Milpitas' responds to the June 12, 2026, Grand Jury report titled "Pothole Damage: Improving Claims Processes Within Santa Clara County" (the "Report"). The City is providing this response pursuant to California Penal Code section 933.

FINDINGS

Finding 1: Jurisdictions within Santa Clara County rejected 92% of pothole claims from 2020 to 2025 due to reasons including missed deadlines, incorrect jurisdiction, and lack of prior notice.

City of Milpitas Response to Finding 1: Milpitas does not have data on the county-wide rejection rate and cannot fully respond to this finding. The City agrees, however, that missed deadlines, incorrect jurisdiction, and lack of legal liability (because of a lack of notice of the pothole before the damage occurred) are all reasons that claims may be denied.

Finding 2: Claims are often rejected because the claimant filed with the incorrect jurisdiction, which can happen because jurisdictional lines are often unclear or poorly communicated. The claims websites of all jurisdictions within Santa Clara County lack information about how to determine if a road is in its jurisdiction.

City of Milpitas Response to Finding 2: Milpitas partially disagrees with this finding as it applies to Milpitas. A review of the City's claims over the last three (3) fiscal years shows that zero (0) pothole claims were rejected because the pothole was in a neighboring jurisdiction. By contrast, six (6) claims were rejected because the pothole was inside Milpitas but owned and maintained by another entity, such as CalTrans, the County, or a private HOA. Claimants commonly submit claims to multiple entities

when one entity's road runs through another's jurisdiction, so while some of these may be the result of confusion, many are merely a result of duplicative claims. More importantly, it does not appear that any of the rejected claims involved confusion over jurisdictional boundaries.

The City disagrees that jurisdictional boundaries are unclear or poorly communicated. Although jurisdictional boundaries are not always intuitive, they are clearly defined by legal action, and maps of these boundaries are readily available through multiple on-line resources. The City currently publishes on-line maps of its roads and boundaries through its GIS portal at <https://milpitas-gis-milpitas.hub.arcgis.com>. The same information is also available on LAFCO's website at <https://santaclaralafco.org/policies-and-resources/maps> and can be found on commonly used on-line mapping tools. The two most popular search engines (Google, Bing) provide a map of Milpitas's boundaries in response to the query "Milpitas Map."

The City agrees that its claims website does not specifically contain information about how to determine if a road is in its jurisdiction. The City, however, does publish this information separately, and the lack of any recent claims misidentifying jurisdictional boundaries suggests that this is not a significant need. The City lacks information to respond to this question as it applies to other jurisdictions.

Finding 3: Fifteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, Santa Clara, and Saratoga – have websites with deficiencies that make it difficult to file a claim.

City of Milpitas Response to Finding 3: Milpitas disagrees with this finding as it applies to Milpitas. The report does not identify, and the City is unaware, of any specific deficiency with the City's website, or any feature that makes filing a claim more difficult. Milpitas has already implemented the translation software recommended in 3b and includes clear filing instruction in the form. Milpitas lacks sufficient information to respond to this finding as it applies to other jurisdictions.

RECOMMENDATIONS

Recommendation 2a: All jurisdictions within Santa Clara County should include a link to a map or list of roads they maintain on their claims website. The jurisdictions should implement this by December 15, 2026.

City of Milpitas Response to Recommendation 2a: This recommendation is not being implemented as it is unwarranted. The City currently publishes on-line maps of its roads and boundaries through its GIS portal at milpitas-gis-milpitas.hub.arcgis.com. The same information is also available on LAFCO's website at <https://santaclaralafco.org/policies-and-resources/maps> and can be found on commonly used on-line mapping tools.

Although the claims website does not specifically link to a map of City boundaries, this does not appear to be a need that warrants including a link in claims materials. Pothole claims account for less than seven percent (7%) of the claims Milpitas received over the last three (3) years. Over that time, zero (0) pothole claims were rejected due to filing in the wrong jurisdiction. Given how uncommon the issue is, this change appears unwarranted. Adding a link for something this minor would not be efficient and would be more likely to cause confusion than benefit.

Recommendation 2b: All jurisdictions within Santa Clara County should update their claims websites to identify roads that are commonly mistaken as being in their jurisdictions. The jurisdictions should implement this by December 15, 2026.

City of Milpitas Response to Recommendation 2b: This recommendation is not being implemented as it is unwarranted. As noted above, the City has not identified any claims in the last three (3) fiscal years that were for locations outside of the jurisdiction. To the extent that confusion exists, it is more likely related to roads owned by other agencies inside of Milpitas.

Recommendation 3a: Eleven jurisdictions – the County, Campbell, Cupertino, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill, Mountain View, San José, and Saratoga – should update their websites to provide clear instructions and information about how to file a claim in addition to a link to the claim form. The jurisdictions should implement this by December 15, 2026.

City of Milpitas Response to Recommendation 3a: This recommendation is not being implemented as it is unwarranted. The City's claims form contains clear instructions and is published on the City's website. Milpitas is unaware of any instances where the placement of the instructions on the form has caused confusion or impeded filing. Moreover, including the instructions on the form allows the City's translation tool (see 3b) to translate the instructions into languages common in Milpitas. Maintaining that functionality provides more benefit than moving the instructions onto the webpage.

Recommendation 3b: Fourteen jurisdictions – the County, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, and Santa Clara – should incorporate useable software on their websites that can translate claim forms into multiple languages or provide claim forms in multiple languages based on the demographics they serve. The jurisdictions should implement this by December 15, 2026.

City of Milpitas Response to Recommendation 3b: This recommendation has been implemented. Since April 24, 2026, prior to the Report being issued, the City's website has integrated DocAccess to provide accessibility tools, including translation, for all PDF documents. Users who click on the Claims Form are presented with a "translate" button on the right-hand side. Milpitas's most common languages are listed for easy access in a drop-down menu.

This completes the City of Milpitas' response to the Report per section 933.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie A. Hopkins, Jr.", with a long horizontal flourish extending to the right.

Willie A. Hopkins, Jr.
City Manager