



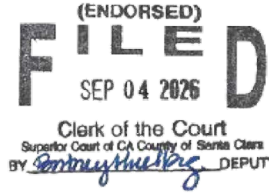
Incorporated October 22, 1956

CITY OF SARATOGA

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September 3, 2026

The Honorable Julie A. Emede
Presiding Judge
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, CA 95113

RE: City of Saratoga Response to the 2025-2026 Santa Clara County Civil Grand Jury Report, “Pothole Damage: Improving Claims Processes within Santa Clara County”

Dear Judge Emede:

Pursuant to California Penal Code sections 933(c) and 933.05, the City of Saratoga (City) respectfully submits its response to the findings and recommendations directed to the City in the 2025-2026 Santa Clara County Civil Grand Jury’s (Civil Grand Jury) final report, “Pothole Damage: Improving Claims Processes within Santa Clara County,” dated June 12, 2026. The City is required to respond to Findings 1, 2, and 3 and Recommendations 2a, 2b, and 3a, and does so below in accordance with the response requirements of Penal Code section 933.05.

Response to 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.”*

Response: Agree. The City reviews each pothole claim in accordance with the California Government Claims Act. Claims are properly rejected when they are filed after the statutory deadline (generally six months from the date of the incident, as required under the Government Claims Act), filed with an agency that lacks jurisdiction over the location in question, or when the City did not have actual or constructive notice of the condition prior to the incident (i.e., the City did not create the condition, had not received a prior report of it, no City employee observed and reported it, and the condition had not existed long enough that the City should have discovered it through routine inspection). The City’s

claims are administered in coordination with its third-party claims administrator (Carl Warren & Company), which investigates and evaluates claims on the City's behalf in accordance with the Government Claims Act. The City's claims data for this period is consistent with the countywide trend identified by the Civil Grand Jury.

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."*

Response: Agree. The City agrees that jurisdictional boundaries for road maintenance can be unclear to the public, particularly where City streets adjoin state routes, such as State Route 9 (Big Basin Way), or fall within unincorporated county pockets located inside the City's boundaries that remain under County, rather than City, jurisdiction. The City maintains on its website an interactive GIS map that identifies City boundaries, City-maintained roadways, and a list of private roads; however, this resource is not currently linked from the City's claims webpage. The City will address this gap through Recommendations 2a and 2b below.

Finding 3: *"Fifteen jurisdictions, including 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."*

Response: Agree in part. The City agrees that its claims webpage does not currently provide clear step-by-step instructions for filing a claim beyond a link to the claim form itself, and the City will address this through Recommendation 3a below. The City notes, however, that it is one of only two jurisdictions countywide, along with the City of Palo Alto, that currently offers an online e-filing option for claims, and it also provides website and form translation into multiple languages, both of which the Civil Grand Jury's report recognized as notable accessibility features. The City will build on these existing capabilities as it implements the improvement described below.

Response to 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."*

Response: The recommendation has not yet been implemented but will be implemented by the recommended timeframe. The City maintains on its website an interactive GIS map that identifies City boundaries; however, this resource is not currently

linked from the City's claims webpage. The City will add a direct link to this GIS map to its claims webpage by December 15, 2026.

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."*

Response: The recommendation has not yet been implemented but will be implemented by the recommended timeframe. The City will update its claims webpage to identify roadways commonly mistaken as being within City jurisdiction, including State Route 9 (Big Basin Way), which is owned and maintained by Caltrans notwithstanding its location within the Saratoga Village commercial district. This addition will be implemented by December 15, 2026.

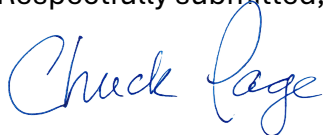
Recommendation 3a: *"Eleven jurisdictions, including the County, Campbell, Cupertino, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill, Mountain View, San José, and Saratoga, should update their websites to provide clear instructions and information about how to file a claim in addition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

Response: The recommendation has not yet been implemented but will be implemented by the recommended timeframe. The City will update its claims webpage to include clear written instructions describing the claims process, required documentation, and applicable deadlines, in addition to the existing link to the claim form and e-filing option. This will be implemented by December 15, 2026.

The City appreciates the Civil Grand Jury's review of this important issue and its recommendations to improve the accessibility and transparency of the claims process countywide. The City is committed to responsive, transparent local government and will continue to evaluate opportunities to improve the claims process for residents.

Please contact the City Clerk's Office at 408-868-1294 or bavrit@saratoga.ca.us with any questions regarding this response.

Respectfully submitted,



Chuck Page, Mayor
City of Saratoga