



456 West Olive Avenue
Sunnyvale, CA 94088-3707

408-730-7473
Sunnyvale.ca.gov

August __, 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 Sunnyvale's Response to Santa Clara County Civil Grand Jury Report

Judge Emede:

Larry Klein
Mayor

Richard Mehlinger
Vice Mayor

Alysa Cisneros
Councilmember

Murali Srinivasan
Councilmember

Linda Sell
Councilmember

Charlsie Chang
Councilmember

Eileen Le
Councilmember

The Sunnyvale City Council received 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 following is the City Council's response to the Civil Grand Jury's Findings and Recommendations applicable to the City of Sunnyvale, as required by section 933.05(a) of the California Penal Code.

Response to Findings and Recommendations

- **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 to Finding 1 – DISAGREE PARTIALLY.

The City of Sunnyvale appropriately rejects claims received after state mandated deadlines and where the City of Sunnyvale is not the correct jurisdiction for the circumstances of a particular claim. Doing otherwise would be a misuse of taxpayer funds entrusted to the City of Sunnyvale.

When a claimant errs and submits a claim to the City of Sunnyvale where another jurisdiction is the correct jurisdiction to file, Sunnyvale staff promptly



advise the claimant of the correct jurisdiction (if known) for the claim to be filed.

For the time period of 2020 through 2025, Sunnyvale rejected 92% of claims for the following reasons:

- Incorrect jurisdiction (17)
 - Liability – inquiry done and determined no defect, or the City had no notice of an issue prior (15)
 - Insufficiency information (2)
 - Timeliness and lack of cooperation (1)
- **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 to Finding 2 – DISAGREE PARTIALLY.

Several agencies maintain roadways and other infrastructure within the boundaries of the City of Sunnyvale. The State of California owns buildings and maintains highways within Sunnyvale, the County of Santa Clara owns buildings and maintains expressways within Sunnyvale, and Santa Clara Valley Water District and other special districts own and maintain buildings and other infrastructure within Sunnyvale. Private corporations and homeowner associations also own and maintain roads and other infrastructure within Sunnyvale.

While the City of Sunnyvale disagrees with the assertion that claims are “...often rejected because the claimant filed with the incorrect jurisdiction,” the data shows that 51% of rejected claims are rejected for other reasons.

When the City of Sunnyvale receives a claim that is outside of Sunnyvale’s jurisdiction, the City rejects the claim and refers the claimant to the correct jurisdiction (when known) where they may file a claim. Sunnyvale does not



have information regarding the cause of a claimant filing a claim with an incorrect jurisdiction. Similarly, Sunnyvale does not have information about what information other agencies within Santa Clara County maintain on their websites.

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 to Recommendation 2a – THE RECOMMENDATION WILL NOT BE IMPLEMENTED BECAUSE IT IS NOT WARRANTED.

When the City of Sunnyvale receives a claim that is outside of Sunnyvale's jurisdiction, the City rejects the claim and refers the claimant to the correct jurisdiction (when known) where they may file a claim.

Providing a list may not be clear as jurisdictions and roadway ownership can vary block to block and may abut a boundary with another jurisdiction. Providing a Portable Document Format (PDF) file or other map online may not accurately reflect the current ownership of roadway segment or other infrastructure. Due to the large number of roadways in Sunnyvale, a letter sized or tabloid sized map would not show sufficient detail to determine where one jurisdiction begins and another ends.

Utilizing a Geographic Information System (GIS) generated map could be more accurate; however, GIS tools are not typically able to meet Web Content Accessibility Guidelines (WCAG) 2.1 Level AA Standards which are required for all agencies in Santa Clara County by either April 26, 2027 (cities with populations of 50,000 or more) or April 26, 2028 (cities with populations under 50,000 and special districts).

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 to Recommendation 2b – THE RECOMMENDATION HAS NOT BEEN IMPLEMENTED, BUT WILL BE IMPLEMENTED IN THE FUTURE.

The City of Sunnyvale will add a list of highways and expressways that fall outside the jurisdiction of the City of Sunnyvale to its [File a Claim Against the City](#) webpage by December 15, 2026.

- **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.

No response from the City of Sunnyvale is requested by the Civil Grand Jury for Finding 3.

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.

No response from the City of Sunnyvale is requested by the Civil Grand Jury for Recommendation 3a.

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.

No response from the City of Sunnyvale is requested by the Civil Grand Jury for Recommendation 3b.

- **Finding 4**

When pothole claims are rejected, claimants filing claims against the County, Los Altos, Los Gatos, Mountain View, Palo Alto, and San José receive a notice that provides little or sometimes no explanation for the rejection. Although jurisdictions within Santa Clara County are not legally obligated to provide a reason for rejection, the lack of clarity in the decisions made on the claims can add to a claimant's frustration.

No response from the City of Sunnyvale is requested by the Civil Grand Jury for Finding 4.

Recommendation 4

The County, Los Altos, Los Gatos, Mountain View, Palo Alto, and San José should update their rejection letters to specify whether the decision was due to lack of timeliness, incorrect jurisdiction, lack of prior notice, or other reason and to provide a specific contact to call or email if the claimant has further questions about the reason for rejection.

The jurisdictions should implement this by December 15, 2026.

No response from the City of Sunnyvale is requested by the Civil Grand Jury for Recommendation 4.

The City has carefully reviewed and considered the concerns raised in the report. The Sunnyvale City Council supports providing clear and accurate information to the public and maintaining community trust by rejecting claims that do not meet state mandated deadlines or do not fall within Sunnyvale. The Sunnyvale City Council is mindful of



the issues raised in this report. We thank the Civil Grand Jury for their interest in this important issue.

Sincerely,

Larry Klein
Mayor, City of Sunnyvale

cc: Vice Mayor Mehlinger and Sunnyvale City Councilmembers
Tim Kirby, City Manager
Sarah Johnson-Rios, Assistant City Manager
Hearther Ruiz, Human Resources Director
Aaron Bert Public Works Director
David Carnahan, City Clerk
Tamara Davis, Senior Management Analyst