

CITY OF OAKLAND



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October 7, 2025

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Ty Whitehead v. City of Oakland, County of Alameda, State of California, and Does 1-100
Alameda County Superior Court Case No. RG18896233
City Attorney File No. 32322
(Oakland Department of Transportation – Dangerous Condition)**

President Jenkins and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled lawsuit for the sum of Seven Million Dollars and No Cents (\$7,000,000.00).

This lawsuit arises from an incident on March 25, 2017, when Plaintiff Ty Whitehead fell from his bicycle on Skyline Boulevard, near the intersection with Grass Valley Road, after his bicycle contacted a pothole. Whitehead suffered a permanent traumatic brain injury.

Whitehead alleged this portion of Skyline Boulevard was a dangerous condition of public property. The City prevailed on a motion for summary judgment, which was affirmed by the Court of Appeal, but reversed by the California Supreme Court. The case is currently pending back before the Court of Appeal. The City has determined that settlement in the amount of \$7,000,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, September 18, 2025 (moved by President Pro-Tem Noel Gallo and seconded by Councilmember Carroll Fife - 7 Ayes, 1 Excused – Councilmember Janani Ramachandran).

Respectfully submitted,


RYAN RICHARDSON
City Attorney

Assigned Attorney:
Kevin P. McLaughlin