

CITY OF OAKLAND



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December 2, 2025

HONORABLE CITY COUNCIL
Oakland, California

Subject: Ernesto Sarmiento v. Alameda-Contra Costa Transit District, City of Oakland, County of Alameda, and DOES 1 to 20
Case No. 23CV045022
City Attorney File No. X05523
(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 Five Hundred Fifty Thousand Dollars and No Cents (\$550,000.00).

Plaintiff Ernesto Sarmiento alleges that on October 30, 2022, Plaintiff was riding a bicycle in the bicycle lane on Mandela Parkway approaching West Grand Ave. when a wheel of the bicycle became caught in a two-inch seam in the pavement causing Plaintiff to fall and suffer a fractured right wrist, facial lacerations, and a traumatic brain injury. Plaintiff alleges that the seam was a dangerous condition of public property for which the City is liable. Plaintiff seeks damages for their medical expenses, wage loss, property damage, and pain and suffering.

The Council authorized settlement of this case in Closed Session on Thursday, November 6, 2025 (moved by Councilmember Noel Gallo and seconded by Councilmember Rowena Brown - 5 Ayes, 2 Excused – Councilmember Carroll Fife and Council President Kevin Jenkins, 1 Abstentions – Councilmember Ken Houston).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan Richardson".

RYAN RICHARDSON
City Attorney

Assigned Attorney:
Montana Baker