

CITY OF OAKLAND



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December 2, 2025

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Oakland Bulk & Oversized Terminal, LLC v. City of Oakland
City of Oakland v. Oakland Bulk & Oversized Terminal, LLC
Case Nos. RG18930929 and RG20062473
City Attorney File Nos. X04624 and X04624-1
(Department of Economic & Workforce Development – Breach of
Contract)**

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 a partial compromise and settlement of the above-entitled lawsuit.

These cases arise out of disputes between the City and its tenant Oakland Bulk & Oversized Terminal, LLC (OBOT) regarding compliance with the ground lease between the parties. These cases went to trial in Alameda County Superior Court, and judgment was entered in favor of OBOT and against the City on January 23, 2024. The City appealed the judgment, which was affirmed by the California Court of Appeal, and the City's petition for review to the California Supreme Court was denied on September 17, 2025.

Since then, the parties have entered into a settlement of the City's claim for rent due prior to September 17, 2025 and OBOT's claim for post-judgment attorneys' fees and costs, whereby the City will pay to OBOT seven hundred thousand dollars and no cents (\$700,000.00). The parties also agreed that the City will perform certain administrative items relating to construction and development of the terminal project by certain dates, and that the City and OBOT will meet and confer to discuss potential future agreements, subject to any necessary future City Council approvals, including with regard to the time for OBOT to reach the Minimum Project as defined under the ground lease, and with regard to the duration of the ground lease.

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City of Oakland v. Oakland Bulk & Oversized Terminal, LLC

Page 2

The City Council authorized settlement of this case in Closed Session on Thursday, November 6, 2025 (moved by Councilmember Carroll Fife and seconded by Councilmember Charlene Wang - 7 Ayes, 0 Noes, 1 Absent – Council President Kevin Jenkins).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan Richardson", written in a cursive style.

RYAN RICHARDSON
City Attorney

Assigned Attorney:
Kevin P. McLaughlin